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Senate

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

PRAYER

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

Let us pray.

Eternal God, our Strength, thank You for Your providential love. Today give our Senators the wisdom to do what is right. Enlighten their minds with Your truth as You warm their hearts with Your love. Lord, fill their lives with Your power that they may accomplish Your purposes. Make them so aware of Your presence that they will remember that wherever they are and whatever they do, You see them. May they feel nothing but to grieve You and seek nothing except to please You.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RECOGNITION OF THE MAJORITY LEADER

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

MEASURE PLACED ON THE CALENDAR—S. 2146

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk due a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 2146) to hold sanctuary jurisdictions accountable for defying Federal law, to increase penalties for individuals who illegally reenter the United States after being removed, and to provide liability protection for State and local law enforcement who cooperate with Federal law enforcement and for other purposes.

Mr. MCCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

ADOPTIVE FAMILY RELIEF ACT

Mr. MCCONNELL. Mr. President, before I speak on the legislation the Senate will consider this afternoon, I want to say a few words about S. 1300, the Adoptive Family Relief Act. I spoke on this bill in July after it passed the Senate with unanimous consent. Now I would like to praise the House of Representatives for passing this important piece of legislation just yesterday.

The issue this bill addresses is of particular importance to me, and I am proud to be an original cosponsor of the legislation. More than 400 American families, approximately 20 of them from Kentucky, have successfully adopted children from the Democratic Republic of the Congo, or the DRC. However, due to the DRC Government's years-long suspension of exit permits, many of these families have been unable to bring their adoptive children home to the United States.

To make matters worse, families have been financially burdened by the cost of continually renewing their children's visas while they wait for the day the DRC decides to lift its suspension. In an attempt to help these families, the Adoptive Family Relief Act would provide meaningful financial relief by granting the State Department authority to waive the fees for multiple visa renewals in these and other extraordinary adoption circumstances.

This bill builds on Congress' bipartisan efforts on the adoption issue, including my amendment to this year's budget resolution to encourage a solution to the situation as well as numerous bipartisan congressional letters sent to Congolese officials.

Later today I will have the opportunity to meet with the Brock family from Owensboro. I was grateful to assist in the return of their medically fragile child from the DRC last Christmas. However, their other adopted son still remains in the country.

For this Kentucky family, and for many others still waiting, I again strongly urge the Government of the DRC to resolve the matter expeditiously and in a way that provides for the swift unification of families. Until then, I want to praise the bipartisan action that led to the passage of the Adoptive Family Relief Act. I hope families see this as a message that Congress is supporting them.

This bill will now go to the President for his signature. It is my hope it will bring needed assistance to so many loving families, like the Brocks, who want nothing more than to open their homes to a child in need.

Allow me to also thank the sponsors of this bill, Senators FEINSTEIN and JOHNSON and Representative TRENT FRANKS, for all their hard work. That thanks extends as well to the 78 other cosponsors in both Chambers and both parties, along with the Senate and House judiciary committees for their hard work and truly bipartisan commitment to solving this heartbreaking issue.

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. MCCONNELL. Mr. President, on another matter before the Senate this afternoon, I was glad to see the Senate come together yesterday to advance the bipartisan National Defense Authorization Act. This bipartisan Defense bill will support our men and

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

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women in uniform in many, many ways.

The bill attacks bureaucratic waste, authorizes pay raises, and improves quality-of-life programs for our soldiers, sailors, airmen, and marines. It will strengthen sexual assault prevention and response. It will help wounded warriors and heroes who struggle with mental health challenges. Most importantly, it will equip the men and women who serve with what they need to defend our Nation.

The chairman of the Committee on Armed Services was unrelenting in his work across the aisle to craft a serious defense bill with input from both parties. Senator MCCAIN can and should take pride in yesterday's 73-to-26 vote to advance this bill. He should take heart in today's vote to send it to the President as well.

That is where this legislative process should end—with the President's signature, with a win for our forces, and with a win for our country at a time of seemingly incalculable global crises. But the White House has issued threats that the President might actually veto this bipartisan bill for unrelated partisan reasons. That would be more than outrageous—truly outrageous, Mr. President. It would be yet another grave foreign policy miscalculation from this administration, something our country can no longer afford.

Just a year ago, the President announced a strategy to degrade and destroy ISIL. Today, the threat remains as versatile and resilient as ever. ISIL has consolidated its gains within Iraq and within Syria. Russia is now deploying troops and attacking the moderate opposition forces in Syria. Iran is reportedly sending additional forces to the battlefield. Civilians are dying and refugees are fleeing.

John Kerry calls the situation ''a catastrophe, a human catastrophe really unparalleled in modern times.'' He is right.

According to news reports, this is all forcing the President to reconsider his strategy in that region and craft a new one. Regardless of what he decides, it is going to be a protracted area of struggle. It has been profoundly challenging already. That is to say nothing of the countless other mounting global threats, from Chinese expansion in the south China Sea to Taliban resurgence in Afghanistan.

Many Americans would say this is the worst possible time for an American President to be threatening to veto their national defense bill, and especially to do so for arbitrary partisan reasons. I wish I could say it surprises me that President Obama might, for the sake of unrelated partisan games, actually contemplate vetoing a bipartisan defense bill that contains the level of funding authorization that he actually asked for. Let me say that again. This bill contains the funding authorization the President asked for. So I am calling on him not to, especially in times like these, but if he does, it will be the latest sorry chapter in a failed foreign policy based on campaign promises rather than realistically meeting the threat before us.

The President's approach to foreign policy has been nothing if not consistent over the past 7 years. I have described this in detail many times before. From repeatedly seeking to declare some arbitrary end to the war on terror, to discarding the tools we have to wage it, to placing unhealthy levels of trust in unaccountable international organizations, the President's foreign policy has been as predictable as it has been ineffectual.

Take, for instance, his heavy reliance on economy-of-force train-and-assist missions. This has been the primary tool of the President to cover our drawdown of conventional forces. The train-and-equip concept is to train indigenous forces to battle insurgencies in places such as Yemen, Syria, Iraq, and Afghanistan. These forces ideally partner with U.S. capabilities, but under the President's policy, they have been left to fight alone as we continue to draw down our conventional forces.

The essence of this was captured in a speech he delivered at West Point just last May. In that speech the President described a network of partnerships from South Asia to Sahel to be funded by $5 billion in counterterrorism funds. By deploying Special Operations Forces for train-and-equip missions, the President hoped to manage the diffuse threats posed by terrorist groups such as Al Qaeda in the Arabian Peninsula, Boko Haram, the al-Nusrah Front, the Taliban, Libyan terrorist networks that threaten Egypt, and, of course, ISIL.

The President never explained the strategy—beyond direct action such as unmanned vehicle aerial strikes—for those cases when indigenous forces proved insufficient, as we have seen in Iraq, Syria, and Yemen. Nevertheless, this concept of operations suited the President because it allowed him to continue with force structure cuts to our conventional operational units. It allowed him to continue refusing to accept that leaving behind residual forces in places such as Iraq and Afghanistan might represent a means by which this Nation could preserve the strategic gains made through sacrifice. It also allowed him to continue refusing to rebuild our conventional and nuclear forces.

This was never, never an approach designed for success. Today it is clear this is now an approach that has also reached its limits.

The New York Times is hardly an adversary of this administration, but it recently ran a story titled ''Billions From U.S. Fail to Sustain Foreign Forces.'' Once again, this is the New York Times. Here is what it said:

> With alarming frequency in recent years, thousands of American-trained security forces in the Middle East, North Africa, and South Asia have collapsed, stalled or defected, calling into question the effectiveness of the tens of billions of dollars spent by the U.S. on foreign military training programs, as well as a central tenet of the Obama administration's approach to combating insurgencies.

Without rebuilding the force, we cannot deter China's efforts to extend its conventional reach in the South China Sea. Without rebuilding the force, we cannot deter Russian adventurism in places such as Crimea. Without rebuilding and deploying the force, we cannot hope to deter Russia's gambit to increase its Middle East presence or its air campaign in Syria. And under this strategy, when the host nation militaries we trained and equipped proved inadequate to defeat the insurgency in question, the strategy allowed for a persistent, enduring terrorist threat in those countries. That is just what we have seen with Al Qaeda in the Arabian Peninsula, with the Taliban, and now with ISIL.

I thought the growth, advance, and evolution of ISIL last year would have presented a turning point for the President. I thought the fall of Anbar Province and the threat posed to allies such as Jordan, Saudi Arabia, and Turkey would have provoked a reconsideration of his entire national security policy, but it didn't. If the latest stories of White House efforts to revise its ISIL strategy are to be believed, then perhaps the President now finally realizes the threat from terrorist groups like ISIL and Al Qaeda have outpaced his economy-of-force concept. He may even be accepting the reality that withdrawing arbitrarily from Afghanistan is neither consequence-free nor is it a good idea.

One year after the President's ISIL speech, it is time to reverse the withdrawal of our military from its forward presence. It is time to lay the groundwork for the next President to rebuild America's credibility with friend and foe alike. That is true of ISIL and it is true of dissatisfied powers such as Russia, China, and Iran, who are all looking to exploit American withdrawal in pursuit of regional hegemony and dreams of empire.

To paraphrase the President: Russia is calling, and it wants its empire back. Russia wants its empire back. China is calling, too, and so is Iran. They have watched as both our economy-of-force efforts to mask American withdrawal and as other U.S. commitments have proven quite hollow—like the announcement of a strategic pivot to Asia, without the investments to make it meaningful. The next President, regardless of party, will need to craft plans, policies, and programs to balance against expansion. Signing the bipartisan National Defense Authorization Act we pass today—and of course matching the authorization with its corresponding funding—would represent a good first step along that path. If the President is serious in his just-restated commitment to taking all steps necessary to combat ISIL,

then he will know that signing this bipartisan National Defense Authorization Act is anything but the waste of time some of his allies might pretend it to be. In fact, this bill is essential.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

NATIONAL DEFENSE AUTHORIZATION BILL AND BENGHAZI SELECT COMMITTEE

Mr. REID. Mr. President, the bill before the Senate this afternoon, in spite of all the statements of my friend the Republican leader, is another piece of political theater. Everyone knows the President is going to veto this. Everyone knows this. The House, if they are called upon first to sustain the veto, will do it. If we are called upon first to sustain the veto, we will do it.

Republicans are trying to paint Democrats as being soft on defense. Based on what we have heard from my friend today, I don't know where he doesn't want American troops—China, Iran, Russia, all over the Middle East. It is stunning to listen to what he has said. We have spent a lot of money training foreign troops. I was in Iraq. Who was training the troops then? General Petraeus. I don't know what my friend wants, but I do tell everyone the gimmick we have in this bill today; that is, having this funny money funding and that is what it is—I can't imagine my Republican friends who have in the past been so supportive of not doing things that deal with funny money, that their—Senator MCCAIN, the chairman of the committee, has acknowledged that sequestration will destroy the military—that is my word—but will badly damage the military. He has said that many times.

So we have a lot of problems here, but the gimmick my friend is so touting today does nothing to support the security we need at home: The FBI, homeland security, border protection. I say to my friend, the Presiding Officer, today: You voted the way I thought Republicans should vote when this matter came before the body yesterday.

It has been a week since it happened, but the American people are still reeling from House Majority Leader KEVIN MCCARTHY's admission that the so-called Benghazi Select Committee is nothing more than a political hit job on Hillary Clinton. That is what he said. Speaking about this committee, he told FOX News:

> Everybody thought Hillary Clinton was unbeatable, right? But we put together a Benghazi special committee, a select committee. What are her numbers today? Her numbers are dropping.

It doesn't take much to figure out the point he was making; that this was nothing more than a hit job on Hillary Clinton. According to Mr. MCCARTHY, the so-called Benghazi Select Committee was orchestrated with one goal in mind—to weaken Hillary Clinton's Presidential campaign. Of course that is shameful. House Republicans have used the tragic deaths of four Americans as political fodder to win an election. Don't the victims deserve better? Don't their families deserve not to have their deceased loved ones pulled into a political inquisition?

Even more shocking, this political farce continues now. House Republicans are showing no signs of bringing this charade to an end. Consider the facts. These are a number of the select committees that have been going on that we have had in the Congress in recent years: Hurricane Katrina, Pearl Harbor, Warren Commission, Iran-Contra, Watergate, and the Benghazi Committee. This big red line sitting here shows this committee has spent far more time than any committee except Watergate. Look at that. It is hard to believe. For 16 months now we have used the tragic deaths in a way that is not what we should be doing. They have spent almost $5 million of taxpayer money on this so-called select committee, and the number continues to climb as I speak. Not only do they have a select committee, they have had six other committees that have held hearings on this. What a waste of taxpayer dollars. The select committee has investigated Hillary Clinton for 17 months, 517 days—longer than the investigations that I mentioned: Pearl Harbor, the Kennedy assassination, and even, timewise, Watergate—close but still more time than on Watergate, and it is still going on. What have they accomplished? What have they achieved after all that time and money has been spent? What have they accomplished for the American people? Nothing. And they have held three hearings in 17 months. Not one American is safer today because of the select committee, not one terrorist attack has been thwarted because of the committee's work, and Republicans are fine with that. They hail the Benghazi committee as a success because it was never the panel's intention to get to the truth. This committee's only real objective was to hurt Hillary Clinton—exactly as Congressman MCCARTHY said. The evidence makes that clear. In 17 months, the committee has interviewed or deposed eight Clinton campaign staffers. They are obsessed with Hillary Clinton and her campaign status. Yet, stunningly, Chairman GOWDY and Republicans have little interest in questioning intelligence and defense experts. They have held only one hearing with an expert from the intelligence community. They have never held a single hearing with anyone from the Department of Defense. The Republican chairman and his colleagues have abandoned their plans to interview Defense officials and instead have gone after Secretary Clinton and her staff. The evidence is clear. The Benghazi Select Committee is a sham. Democrats have known this for 2 years, but now we have the man who is going to be—I understand after tomorrow at noon—running the House of Representatives come November 1. He has acknowledged it is a witch hunt. That is why the Democratic leadership of the Senate wrote to Speaker BOEHNER asking him to disband the select committee. That is why I will not stop reminding Republicans of Congressman MCCARTHY's admission.

If it were up to me, the House Democrats on that panel would nail this quote on the committee room doors as a reminder to everyone that Republicans have manipulated a true American tragedy and turned it into a political circus:

> Everybody thought Hillary Clinton was unbeatable, right? But we put together a Benghazi special committee, a select committee. What are her numbers today? Her numbers are dropping.

He is so proud of himself. Until House Republicans do the right thing and disband this committee, I will continue to tell the American people about the disgrace that is the House Republicans' Benghazi committee.

Mr. President, would the Chair announce what we are going to be doing today.

RESERVATION OF LEADER TIME

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

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016—CONFERENCE REPORT

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

The legislative clerk read as follows:

> Conference report to accompany H.R. 1735, a bill to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the time until 1 p.m. will be equally divided between the two leaders or their designees.

The Senator from Utah.

THE RIGHT TO EXTENDED DEBATE

Mr. HATCH. Mr. President, 2 months ago I came to the Senate floor in my capacity as President pro tempore to speak to my colleagues about the importance of maintaining decorum and respect in this body. I reminded them that decorum is essential to the proper functioning of the Senate and to its unique role in our constitutional structure. The Framers designed the Senate to be an institution of deliberation and reason, where Members would work to promote consensus and the common good rather than their own narrow, partisan interests. Today I rise once

more in my capacity as President pro tempore, this time to discuss another defining feature of this body—the right to extended debate.

The Framers designed the Senate to serve as a necessary fence against the fickleness and passion that drives hasty lawmaking—what Edmund Randolph called the turbulence and follies of democracy. James Madison in turn described the Senate as a bulwark against what he called the transient impressions into which the people may from time to time be led. Senators were to refine the popular will to wisdom and sound judgment, reaching measured conclusions about how best to address the Nation's challenges. It is no accident that passing bills through this body takes time. The Framers intended the Senate to be the cooler, more deliberate, more reasoned branch. As Madison once said, the Senate was to ''consist in its proceedings with more coolness, with more system, and with more wisdom than the [House of Representatives].''

Key to the Senate's deliberative nature is its relatively small size, which enables a much more thoroughgoing debate and greater opportunity for individual Members to improve legislative proposals. Longer, staggered terms also give Members flexibility to resist initially popular yet ultimately unwise legislation, and statewide constituencies require Senators to appeal to a broader set of interests than do narrow, more homogenous House districts. To these constitutional characteristics, the Senate has added a number of traditions—some formal, others informal—that have enhanced its deliberative character. Foremost among these traditions is the right to extend debate—what we today call the filibuster.

For many years—indeed, for the first 130 years of this body's existence—there was no formal way to cut off debate. Senators could, in theory, speak as long as they wanted, on whatever subject they wanted. In 1917, the Senate adopted the first cloture rule, which required a two-thirds vote to end debate. Filibusters remained rare, although they were used from time to time to delay legislation. In 1975, under the leadership of Majority Leader Mike Mansfield, the Senate lowered the cloture threshold from two-thirds to three-fifths, where it has remained ever since, with the notable exception of Senate Democrats' unilateral decision last Congress to lower the cloture threshold for most nominations to a simple majority vote. The cloture threshold for legislative filibusters remains three-fifths.

Now, one may wonder why a device that allows a minority of Senators to delay or block legislation is a good thing. My friends and colleagues, the junior Senator from Oregon and the senior Senator from New Mexico spoke on the Senate floor last week about the importance of majority rule and the need to allow legislation to proceed. I do not deny that obstructionism can be a serious problem. Obstinately refusing to allow any legislation to move forward or requiring complete capitulation by opponents is not statesmanship, and it is not what the Framers had in mind. But when exercised properly, the right to extended debate can measurably improve policy.

The filibuster furthers two of the Senate's key purposes. First, it helps to guard against intemperate impulses that may from time to time infect our political order. Second, it facilitates the process of refining the popular will.

The way in which the filibuster guards against intemperate impulses is obvious. By requiring a supermajority to pass major legislation, the filibuster ensures that a narrow partisan majority swept into office through a fluke election does not go about unravelling vast swaths of America's legal architecture. The filibuster also ensures that the same narrow majority does not run riot with new, pie-in-the-sky ideas that cost billions of dollars while producing little discernible benefit.

I would point my colleagues to two major, extremely controversial measures that passed the House in 2009 but went nowhere in the Senate: the cap-and-trade energy tax and the so-called public option for health insurance. Speaker PELOSI was barely able to ram through cap and trade by a vote of 219 to 212. The public option passed by an even slimmer margin of 220 to 215. These two pieces of legislation received little consideration in this body because there were nowhere near enough votes for cloture. Absent the filibuster, however, it is likely both would have passed the Senate and become law. Had that occurred, a temporary electoral victory would have wrought fundamental changes to American energy policy and put our Nation even more firmly on the path to government-run health care.

Many on the left may point to the failure of cap and trade and of the public option in 2009 as reasons to eliminate, not preserve, the filibuster. After all, it prevented progressives from achieving two of their most sought-after policy goals. But consider what happened a mere 2 years later, in the very next election: Voters delivered President Obama and the Democratic Party a sharp rebuke, voting out of office the highest number of Democratic officeholders in generations. Voters disapproved of the Democrats' policymaking, and registered their disapproval at the polls. Note, too, that the Democrats lost their majority in the House—the body that passed cap and trade and the public option—but retained their majority in the Senate—the body that never even took up either proposal.

The filibuster prevented a transient Democratic majority from enacting far-reaching reforms that a majority of voters ultimately opposed. It didn't prevent all reforms. After all, the Democratic majority still managed to enact many of its policy priorities. But the filibuster prevented other extreme measures from becoming law and stopped a short-lived congressional majority from running roughshod over longstanding principles of federalism, free enterprise, and limited government.

To my friends from Oregon and New Mexico and to others who argue that the filibuster is anti-democratic, I would say that it is in fact the opposite. The filibuster ensures that fundamental change comes only through sustained victories at the ballot box. It typically takes two or three successive victories at the polls to build a filibuster-proof majority. This multiyear window gives the public time to evaluate the majority's platform and to determine whether it is in fact the better course of action.

If by democracy one means to win at all costs, perhaps one could say the filibuster is anti-democratic. But if democracy, as I believe, instead means the system for transforming the people's preferences into law, then the filibuster is not anti-democratic at all. Rather, it preserves the people's preferences until they decide emphatically, and with the benefit of review, that it is time for significant change.

I have also said that the filibuster facilitates the process of refining the popular will. It does this in two ways. First, it gives opponents of a particular piece of legislation additional time to explain why the legislation is misguided or how it could be improved. It also gives proponents of the legislation additional time to explain why the objections are unfounded. This helps to increase understanding on both sides and also offers opportunities to correct problems with particular provisions.

Second, by requiring 60 votes in order to proceed on controversial issues, the filibuster ensures increased buy-in. The process of refining the public will works only if Senators actually pay attention to legislation and devote their resources to examining it. By requiring 60 Senators to assent to legislation rather than a bare majority, the filibuster ensures that no bill passes this body without first garnering broad support. The process of getting to 60 requires more scrutiny, more investigation, and more consensus than the process of getting to a bare majority. It also decreases the likelihood of deeply flawed legislation making it to the President's desk because more Senators have to agree that the legislation warrants passage.

To the extent there are problems with the filibuster, they are not problems with the filibuster itself but with how it has sometimes been used in recent years, as a matter of fact. In April of this year, I spoke on the floor about the need for mutual restraint in the Senate, about the need for both sides to exercise discretion in wielding the powers of the majority and the minority. Yes, the filibuster can be a tool for improving legislation and winning important promises from the Executive,

but it can also be abused for narrow partisan ends. It can be used to bring business to a halt for irrelevant or unimportant purposes or merely to make a point. It can be used to win an unsavory favor for a particular individual or constituency, and it can be used to create false narratives about the majority's ability to govern.

From time to time we hear calls—including by Members of this body—to strip the minority of certain rights. Lately, there have been calls by some in the media, on the campaign trail, and on the other side of the Capitol to eliminate the filibuster. Though these calls to abolish the filibuster may be instinctively appealing, we should reject them. Without the filibuster and other important minority rights, the Senate would lose its unique character. It would become less a body marked by deliberation and reasoned debate and more a body where the majority gets whatever it wants. Indeed, stripped of minority rights, the Senate would merely duplicate the work of the House of Representatives. That may be advantageous for the current Senate majority, but it would not fulfill the constitutional design in creating a second House of Congress where the popular will would be refined through prudent judgment.

Those who call on the Senate to abolish the filibuster should keep in mind that this is not the first Congress to face institutional challenges. Indeed, I would urge my colleagues to recall the example of Mike Mansfield, the late Senator from Montana, whom I referenced earlier. Senator Mansfield served as Senate majority leader from 1961 to 1977, longer than any other Senator in history. During Senator Mansfield's time as majority leader, the Nation confronted a number of difficult, divisive issues. Chief among these were debates over school integration and civil rights, which deeply split the Democratic caucus. Near the beginning of his tenure, when a determined minority stalled President Kennedy's legislative priorities, Senator Mansfield faced great pressure from within his own party to exert the majority's power more assertively. In an act of great courage, Senator Mansfield resisted the calls of his colleagues to bend Senate rules. Though tempted by the prospect of important political victories, he instead counselled that the remedy to gridlock ''lies not in the seeking of shortcuts, not in the cracking of nonexistent whips, not in wheeling and dealing, but in an honest facing of the situation and a resolution of it by the Senate itself, by accommodation, by respect for one another, [and] by mutual restraint.''

Senator Mansfield was absolutely right. For the Senate to function effectively, Senators of all stripes must practice mutual restraint—Republican and Democrat, conservative and liberal, majority and minority alike.

The solution to our current strife is not to change the rules but to follow them and to wield them only as necessary to improve legislation. Cooperation, not going nuclear, is what will restore this body to proper functioning. Going nuclear will only hollow out this institution and infect more of what we do with puerile partisan poison.

I wish to close by quoting two great statesmen who loved the Senate and who truly understood its unique role in our constitutional system. The first quote is from the first Adlai Stevenson, who served as Vice President from 1893 to 1897. In his farewell address to the Senate, Vice President Stevenson said the following:

> In this Chamber alone are preserved without restraint two essentials of wise legislation and good government: the right of amendment and of debate. Great evils often result from hasty legislation; [but] rarely from the delay which follows full discussion and deliberation.

Vice President Stevenson understood that deliberation and reasoned debate lead to better policy outcomes than the headlong rush to action. Delay rarely causes great evils. More commonly, it helps to avoid them.

The second quote comes from a man familiar to all of us, the late Senator Robert C. Byrd of West Virginia. Senator Byrd, who served in this body longer than any other Senator in history and who spent the vast majority of his 51 years in the Senate in the majority, said this about the filibuster and minority rights: ''[A]s long as the Senate retains the power to amend and the power of unlimited debate, the liberties of the people will remain secure.''

Senator Byrd recognized that the Senate's cooling function serves as a crucial check on transient majority impulses and on the often misguided desire to act quickly and to act at all costs.

The filibuster is a key bulwark against error and against the ability of short-lived political majorities to work fundamental changes to our Nation. Although it can be deeply frustrating—particularly when misused and overused by an intransigent partisan Senate minority—the filibuster is an important element of the Senate's character and institutional structure. I urge my colleagues to resist calls to abolish the filibuster. Whatever we might win in the way of short-term political gain would be overwhelmed by the enduring, irreparable damage we would do to the Senate as an institution.

I knew Mike Mansfield. I visited with him in Tokyo when he was the Ambassador to Japan. He was a great leader. He was a great human being.

I also knew very well Senator Robert C. Byrd. There were times when I led the fight against labor law reform in 1977, 1978, where I was hard-pressed to like Senator Byrd because he used every tool at his disposal—procedural and otherwise—to try to put that bill forward, which would have changed the whole character of America for the worse.

I was young. I didn't realize how important that man really was. But as I continued to serve in the Senate and saw his devotion to the Senate, his devotion to the Senate rules, his fairness when he dealt with both sides, I got to really respect his understanding of the procedural votes.

I venture to say I don't know that anybody has ever had that full capacity as much as he did, with the possible exception of Senator Allen of Alabama, who I greatly admired also. He stood right over there on that side of the floor and took on his own party time after time. The filibuster was a very important instrument at that time, especially since Mr. Byrd was a very strong personality. The longer I served in the Senate, the more I appreciated Senator Byrd and his devotion to the rules, the Constitution, and the Senate itself. He cared for the Senate.

I can remember him sitting right here in this chair. I went up to him and I said: Bob, I love you. This was right before he died. He looked like he was going to cry, and he said: ORRIN, I love you too. That meant so much to me because in the early days we were principal adversaries. He had more power than I could dream of.

We ended up winning on labor law reform through a miraculous sixth cloture vote. It was a great loss to Senator Byrd. He was not particularly enamored with me for the first number of years. But as we served together, fought together, and worked together, I gained tremendous experience from him and from his ability. I gained a great appreciation for Senator Byrd and his abilities and his dedication to the rules of the Senate and his dedication to not changing them and keeping those rules alive, and those rules have existed for almost a century.

Nobody I know of felt more sad when he had to leave the Senate than I did. Keep in mind, that was after a lot of blood and guts fighting here on the floor where I, as a young freshman Senator, had to take it on the chin regularly because he knew the rules better than I did and he had power that was much stronger than anybody on this side of the aisle. He had a very forceful presence.

I will just say this: He believed in the rules, and he lived by the rules. Even when he lost, he was a gentleman. I think that man did more for the Senate in many ways than very few other Senators did.

Let's not get so rambunctious about passing anything we want to pass around here. Let's think these rules through. The more you think, the more you realize these rules are here for a reason, and they have been here a long time for a reason and have functioned amazingly well and stopped the majority from running over the minority.

Every once in a while, the Democrats are in the minority, although not very often. Over the last number of years, they had the majority around 22 times and we had it maybe 6 times. I can say

this: There are Democrats on the other side who really know these rules are very important, and I hope they prevail as we move on to even more difficult problems and processes in the future and in the time to come. This is a great body. It remains great in large measure because of its rules and because of the people who serve here. We should all respect the rules, and we should all respect each other for the privilege of serving in the U.S. Senate.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

Mr. MENENDEZ. 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.

CUBA

Mr. MENENDEZ. Mr. President, I rise today, as I have in the past, in defense of the Cuban people, who long for the day when they are free of the iron fist of the Castro regime, a day when we can honestly say ''Cuba es libre'' and mean it. I rise with great concern over the trajectory of the policy towards Cuba that President Obama announced on December 17 of last year.

In executing this new policy, the Obama administration has spared no generosity towards the dictatorship in Cuba. It commuted the sentences of three convicted Cuban spies, including one serving a life sentence for murder conspiracy against Americans who died while flying a civilian aircraft in international airspace that was struck down by Cuban MIGs. It eased a host of travel and trade sanctions in spite of the purpose and intent of U.S. law. It removed Cuba from the state sponsors of terrorism list, while it continues harboring fugitives from the U.S. justice system and members of foreign terrorist organizations.

Among those people who are in Cuba is Joanne Chesimard, who killed a New Jersey State trooper. She was convicted of doing so, escaped, and is on the FBI's top 10 most wanted terrorist list. Yet we took them off the list of state sponsors of terrorism.

It negotiated an agreement to establish diplomatic relations with Cuba that falls far short of international legal norms in terms of what the people at our Embassy can and cannot do inside of Cuba. It upgraded Cuba in the trafficking in persons report, despite its continued slave labor and human trafficking practices. It even acquiesced to shunning dissidents from attending the U.S. Embassy's flag-raising ceremony in Havana.

Yet Cuban dictator Raul Castro refuses to reciprocate any of these concessions. To the contrary, Castro has emphasized that he ''will not cede 1 millimeter.'' In his speech at last month's United Nations General Assembly gathering, he demanded even more, namely for President Obama to evade U.S. law as regards sanctions, to shut down Radio and TV Marti, which is, in essence, the equivalent of our Voice of Democracy so that the Cuban people can get free and unfettered information, to end democracy programs, to return the military base at Guantanamo, and to pay $1 trillion—not $1 million, not $1 billion, $1 trillion—in damages to his regime.

So today, 10 months later, the metrics of this new policy show it is clearly headed in the wrong direction. The Castro family is poised for a generational transition in power. The Cuban regime's monopolies are being strengthened. Courageous democracy leaders are being relegated to obscurity, their voices muffled by the actions of the United States and foreign nations alike.

Political repression has exponentially increased. The number of Cubans desperately fleeing the island is rising, and the purpose and intent of U.S. law is being circumvented. The trajectory of our policy is unacceptable, and I urge President Obama to correct its course.

While speaking recently to a business gathering in Washington, President Obama argued how he believes this new policy is ''creating the environment in which a generational change in transition will take place in that country.'' But the key question is this: a generational change in transition towards what and by whom?

Cuban democracy leader Antonio Rodiles has concisely expressed his concern. He said: ''Legitimizing the [Castro] regime is the path contrary to a transition.'' CNN revealed that the Cuban delegation in the secret talks that began in mid-2013 with U.S. officials in Ottawa, Toronto, and Rome, and which led to the December 17 policy announcement, was headed by Colonel Alejandro Castro Espin. Colonel Castro Espin is the 49-year-old son of Cuban dictator Raul Castro. In both face-to-face meetings between President Obama and Raul Castro this year, the first at April's Summit of the Americas in Panama City, a summit that is supposed to be a meeting of democracies within the Western Hemisphere—Cuba in no way can qualify under those set of circumstances—and just last month at the United Nations General Assembly in New York, Alejandro was seated next to his father with a wide grin.

Now, Alejandro holds the rank—this is him standing next to Raul Castro—of colonel in Cuba's Ministry of the Interior. Now, Cuba's Ministry of the Interior is, in essence, the state security that oppresses its people, with its hand on the pulse and the trigger of the island's intelligence services and repressive organs. It is no secret that Raul is grooming Alejandro for a position of power.

Sadly, his role as interlocutor with the Obama administration seeks to further their goal of an intrafamily generational transition within the Castro clan, similar to the Assads in Syria and the Kims in Korea. We know how well those have worked out. To give you an idea of how Colonel Alejandro Castro views the United States, he describes its leaders as ''those who seek to subjugate humanity to satisfy their interests and hegemonic goals.''

But, of course, it also takes money to run a totalitarian dictatorship, which is why Raul Castro named his son-in-law, General Luis Alberto Rodriguez Lopez-Callejas, as head of GAESA, which stands for Grupo de Administracion Empresarial, S.A., or, translated, the Business Administrative Group.

GAESA is the holding company of Cuba's Ministry of the Revolutionary Armed Forces, Cuba's military. It is the dominant, driving force of the island's economy. Established in the 1990s by Raul Castro, it controls tourism companies, ranging from the very profitable Gaviota, S.A., which runs Cuba's hotels, restaurants, car rentals, and night clubs, to TRD Caribe, S.A., which runs the island's retail stores. GAESA, this holding company of Cuba's Ministry of the Revolutionary Armed Forces, controls virtually all economic transactions in Cuba.

According to Hotels Magazine, a leading industry publication, GAESA, through its subsidiaries, is by far the largest regional hotel conglomerate in Latin America. It controls more hotel rooms than Walt Disney Company. As McClatchy News explained a few years back, ''Tourists who sleep in some of Cuba's hotels, drive rental cars, fill up their gas tanks, and even those riding in taxis have something in common: They are contributing to the [Cuban] Revolutionary Armed Forces' bottom line.''

Now, GAESA became this business powerhouse thanks to the millions of Canadian and European tourists who have and continue to visit Cuba each year. But these tourists—going over a decade and a half, maybe two—have done absolutely nothing to promote freedom and democracy in Cuba. To the contrary, they have directly financed a system of control and repression over the Cuban people, all while enjoying cigars made by Cuban workers paid in worthless pesos and having a Cuba Libre, which is an oxymoron, on the beaches of Varadero.

Yet, despite the clear evidence, some want American tourists to now double GAESA's bonanza—and, through GAESA, double the regime's bonanza. An insightful report this week by Bloomberg Business also explained how:

> [Raul's son-in-law, General Rodriguez] is the gatekeeper for most foreign investors, requiring them to do business with his organization if they wish to set up shop on the island. . . . If and when the U.S. finally removes its half-century embargo on Cuba, it will be this man—

Castro's son-in-law—

> who decides which investors get the best deals.

Of course, it is those investors in the company that ultimately is the Cuban Revolutionary Armed Forces, Cuba's military. In other words, all the talking points about how lifting the embargo and tourism restrictions would somehow benefit the Cuban people are empty and misleading rhetoric. It would only serve as a money funnel for Castro, Inc.

Now, here is what over a dozen of Cuba's most renowned prodemocracy leaders, including the head of the Ladies in White—the Ladies in White are a group of women, composed of mothers, wives, daughters, and other relatives of Cuban political prisoners. These are political prisoners who basically have languished in Castro's jail, not because they did anything violent, not because they broke the common law, as we would understand it here in the United States, but because they sought to create peaceful change.

They march every Sunday, dressed in white, holding a gladiola, peacefully to church. They are beaten savagely and arrested. And yet they do this every Sunday.

Berta Soler, shown in the middle, former prisoner of conscience Jorge Luis Garcia Perez ''Antunez,'' and Sakharov prize recipient Guillermo Farinas, who are all pictured here, warned in an open letter to the U.S. Congress, dated September 25, 2015:

> The lifting of the embargo, as proposed by the [Obama] Administration, will permit the old ruling elite to transfer their power to their political heirs and families, giving little recourse to the Cuban people in confronting this despotic power. . . .
>
> Totalitarianism communism will mutate into a totalitarian state adopting minimal market reforms that will serve only to accentuate the existing social inequality in the midst of an increasingly uncertain future.

These are the people inside of Cuba languishing as they try to create change in their country toward peaceful moves toward democracy.

It is very interesting, as you can see, that despite the talk about the Cuban regime creating greater equality, these pro-democracy movers in this picture who wrote this letter to Congress are all Afro-Cubans. So much for the equality that the regime created and this mysticism or romanticism that some have about the regime.

From an economic perspective, the very concept of trade and investment in Cuba is grounded in a misconception about how business takes place on the island. Right now, the Commerce Secretary of the United States is there talking about business. With whom are you talking business? With the regime.

In most of the world, trade and investment means dealing with privately owned or operated corporations. That is not the case in Cuba. In Cuba, foreign trade and investment is the exclusive domain of the state; for instance, the Castro family. There are no exceptions.

In the last five decades, every single foreign trade transaction with Cuba has been with the Castro regime or an individual acting on behalf of the regime. The regime's exclusivity regarding trade and investment is enshrined in article 18 of Castro's 1976 Constitution. He changed the Constitution and gave exclusivity to the state as it relates to trade and investment. That has not changed.

Moreover, there is no real private sector in Cuba. We often hear the Obama administration and the media refer to Cuba's small ''self-employment'' licenses as private enterprise, which implies private ownership. Yet Cuba's self-employed licensees have no ownership rights whatsoever—be it to their artistic or intellectual outputs, commodity that they produce or personal service that they offer.

Licensees have no legal entity to transfer, sell or leverage. They don't even own the equipment essential to their self-employment. More to the point, licensees have no right to engage in foreign trade, seek or receive foreign investments.

Effectually, licensees continue to work for the state. When the state decides such jobs are no longer needed—and we have seen this experiment before—licensees are shut down without recourse, which has happened several times in the past. Why? Because when you permit somebody to have a little barbershop and people congregate at the barbershop and begin to talk, that is a threat to the regime. When you permit people to assemble legally under the law, even if it is for the purposes of getting, for example, a haircut or eating at a restaurant—although that is normally for foreigners, not for locals—the bottom line is that when that gets out of hand, the regime, as it has in the past, will stop it. So this suggestion that there is this private enterprise is such a huge false fact.

The fact is, we already know what expanded U.S. trade with Cuba would look like. Since the passage of the 2000 Trade Sanctions Reform and Export Enhancement Act, over $5 billion in U.S. agricultural and medical products have been sold to Cuba. It is, however, an unpleasant fact—and facts are stubborn—that all those sales by more than 250 privately owned U.S. companies were made to only one Cuban buyer: the Castro regime.

Don't believe me. According to the U.S. Department of Agriculture itself: ''The key difference in exporting to Cuba, compared to other countries in the region, is that all U.S. agricultural exports must be channeled through one Cuban government agency, ALIMPORT.''

Exporting to Cuba is not about trading with small- or mid-sized farmers, private businesses and manufacturers around the island, as some of my colleagues would have Americans believe. So it should be no surprise that U.S. products end up on the shelves of regime-owned stores that accept only what? Hard currencies. Meaning what? The U.S. dollar or a euro—with huge price markups.

Shoppers at these ''dollar stores'' are mainly tourists or those Cubans who happen to have U.S. families who will send them money, but at the end of the day, those stores have these huge markups. And where does the money go to? Not a private enterprise but the regime.

Little imported food or medicine ever makes it into stores where Cubans shop. Neither is it available on ration cards. It requires a tremendous leap of faith or belief in some extreme and unprecedented economic model—call it dictator-down economics, from my perspective—to argue or theorize that current or more U.S. sales to Castro's monopolies have or can ever benefit the Cuban people.

The facts prove otherwise, as has been the case with sales of U.S. food and medicine. So what makes us believe expanded trade with the United States would be any different? As a matter of fact, since December 17 of this past year—when the agreements between the United States and Cuba were announced and despite the Obama administration's efforts to improve relations with the Castro regime, which have included an increase in travel and eased payment terms for agricultural sales—U.S. sales to ALIMPORT, that Cuban regime company which they control, during the same period have plummeted by over 50 percent. So the question is, Why would even more concessions make this manipulation by the Castro regime's monopolies any different?

Let's stop talking about the embargo in vague terms. The embargo, as codified by the U.S. Congress into law, simply requires the fulfillment of some very basic conditions which are consistent with the democratic and human rights standards of 34 out of the 35 nations in the Western Hemisphere—Cuba remaining the sole exception and, of course, ironically Venezuela heading into a downward spiral with a lot of influence by the Castro regime.

When President Obama or some of my colleagues call for lifting the embargo, they are asking Congress to unilaterally discard these conditions. So I want to ask them, which of these conditions—codified in U.S. law—do they disagree with or oppose that they are willing to unilaterally discard them? Which one are they willing to live without?

Is it, for example, the condition that Cuba ''legalizes all political activity'' or the condition that Cuba ''releases all political prisoners and allows for investigations of Cuban prisons by appropriate international human rights organizations''? As I understood part of this agreement, the Red Cross—I think it was the International Red Cross—was going to be able to go into Cuban prisons. The regime said: Not interested in that.

Is it the condition that Cuba ''dissolves the present Department of State Security in the Cuban Ministry of the Interior, including the Committees for

the Defense of the Revolution. . . . ''? What is the Committee for the Defense of the Revolution? It is a block-watch entity in every neighborhood, in every village, in every hamlet inside of Cuba whose only job is to spy on their neighbors, and when their neighbor says something critical of the regime, they get ratted out.

Is it the rapid response brigades? What are those? Those are state security dressed as civilians who go take people such as the Ladies in White—people like these three pro-democracy individuals—and arrest them so it seems as if the populace is the one doing it when it is state security.

Is it the condition that Cuba ''makes a public commitment to organizing free and fair elections for a new government'' or the condition that Cuba ''makes public commitments to and is making demonstrable progress in establishing an independent judiciary; respecting internationally recognized human rights and basic freedoms as set forth in the Universal Declaration of Human Rights, to which Cuba is a signatory nation; allows the establishment of independent trade unions as set forth in conventions 87 and 98 of the International Labor Organization'' among others.

Is it the condition that Cuba give ''adequate assurances that it will allow the speedy and efficient distribution of assistance to the Cuban people'' or the condition that Cuba is ''effectively guaranteeing the rights of free speech and freedom of the press, including granting permits to privately owned media and telecommunications companies to operate in Cuba''?

Is it the condition that Cuba is ''assuring the right to private property'' or ''taking appropriate steps to return to United States citizens (and entities which are 50 percent or more beneficially owned by United States citizens) property taken by the Cuban Government from such citizens and entities on or after January 1, 1959, or to provide equitable compensation to such citizens and entities for such property''?

Is it the condition that Cuba has ''extradited or otherwise rendered to the United States all persons sought by the United States Department of Justice for crimes committed in the United States''?

Which one of these conditions do they not agree with? Are they all willing to just throw them all out, require nothing?

If President Obama, as media reports indicate, takes the unprecedented step of abstaining from voting against a Cuban resolution in the United Nations General Assembly criticizing our own Nation's law—which is what the Cuban embargo is—he would be disavowing these basic conditions because these basic conditions are what is written into the law. I know. At the time, I was one of the authors who wrote the law in the House of Representatives.

Think about the horrible message that turning a blind eye to these basic conditions in U.S. law would send to the Cuban people about the priorities of the United States. Think of the horrible message it would send to Cuba's courageous democracy leaders.

Since December 17, scores of foreign dignitaries, businessmen, and Members of the U.S. Congress have descended upon Havana to meet with Raoul Castro and his cronies, while sidelining Cuba's courageous dissenters.

As independent journalist and blogger Yoani Sanchez lamented, ''A true shower of presidents, foreign ministers and deputies has intensified over Cuba without daily life feeling any kind of relief from such illustrious presences.''

Sadly, as the AP reported, ''more than 20 U.S. lawmakers have come to Cuba since February without meeting with opposition groups that once were an obligatory stop for congressional delegations.''

The reason U.S. lawmakers don't meet with human rights activists and political dissidents is because if they do, then they don't get a meeting with Raoul Castro. So I guess the photo op with Raoul Castro is more important than meeting with human rights activists and political dissidents.

Perhaps the biggest affront was during the flag-raising ceremony during the opening ceremony of the U.S. Embassy in Havana—to which no Cuban dissidents were invited. The Secretary of State said publically this was due to ''a lack of space'' and that it was a ''government-to-government'' function. Yet images clearly showed there was plenty of space and lots of nongovernmental figures on the invitee list.

Can you imagine what the world would be like today if this had been the attitude of the United States toward Sakharov, Solzhenitsyn, Vaclav Havel, Lech Walesa, and Nelson Mandela?

Meanwhile, adding insult to injury, Cuba's courageous dissident leaders—now neglected by the administration and congressional supporters of the new policy and even further neglected by foreign dignitaries and unscrupulous businessmen searching for a profit at whatever cost—are facing a dramatic increase in repression. Since December 17, when President Obama announced his new policy, Raoul Castro's dictatorship has exponentially increased the number of political arrests, beatings, and detentions. Just between January and March of this year, politically motivated arrests increased nearly 70 percent, from 178 arrests in the former month to 610 in the latter.

According to the Cuban Commission for Human Rights and National Reconciliation—an internationally recognized human rights watchdog—the total number of political arrests during the first 9 months of this year were 5,146. In just 9 months, these 5,146 political arrests surpassed the year-long tallies recorded for 2010, which was 2,074; 2011, which was 4,123; and 2015 is tragically on pace to become one of the most repressive years in recent history.

The official number of September arrests alone—the month just passed—was 822, the most in 15 months. They include Danilo Maldonado, a 31-year-old artist known as El Sexto who was imprisoned on December 25 of this past year, one week after the new policy was announced. El Sexto was arrested for painting the names Fidel and Raul on two pigs, which was considered an act of ''contempt.'' He remains imprisoned without trial or sentence or any justice. Amnesty International has recognized him as a prisoner of conscience.

They also include Zaqueo Baez Guerrero, Ismael Bonet Rene and Maria Josefa Acon Sardinas, a member of The Ladies in White. These three dissidents sought to approach Pope Francis during his recent mass in Havana to ask for his solidarity with Cuba's political prisoners and democracy movement. They were dragged away and arrested under the eyes of the international media. They have been on a hunger and thirst strike since September 20 and are being held at the infamous secret police center for ''investigations'' at Aldabo and 100th Street in Havana. I am very concerned about their well-being.

They also include the case of Digna Rodriguez Ibanez, an Afro-Cuban member of The Ladies in White in Santa Clara, who was attacked by Castro regime agents and pelted with tar. That is right, with tar. Also included is Eralisis Frometa Polanco, another member of The Ladies in White, who was pregnant and forcefully aborted due to the violent blows to the stomach she received during a beating for her peaceful activism, and Daisy Cuello Basulto, also a member of The Ladies in White, whose daughter was arrested, stripped naked, and forced to urinate in front of male state security officers as a means of tormenting her mother.

For 24 straight Sundays in a row, Cuban dissidents have tried to peacefully demonstrate after Mass under the slogan ''Todos Marchamos''—we all march. And for 24 Sundays in a row they have been intercepted, violently beaten, and arrested.

This image is of Cuban dissident leader Antonio Rodiles, a 43-year-old intellectual, after having his face literally shattered during one of those peaceful Sunday marches. Yet, despite the tremendous indignities at the hands of the Castro regime, they remain undeterred in their struggle for freedom and democracy for all Cubans. Rather than shunning these courageous individuals, the United States should be embracing them.

On the same day the news hit that 882 political arrests were made in September alone by the Castro regime, Secretary Kerry was in Chile talking about some marine life agreement with Cuba. What about the human lives in Cuba suffering under this oppression? The Obama administration's policy seems to be bringing little comfort to the Cuban people generally, as they

continue to flee by land, by air, and the perilous journey by sea across the Florida straits, where countless Cubans have lost their lives in search of freedom.

Nearly 32,000 Cubans entered the United States in the first 9 months of the fiscal year that ended on September 30, up from about 26,000 migrants who entered last fiscal year, according to the Department of Homeland Security. Fewer than 7,500 Cubans came in 2010.

Finally, Mr. President, as one of the authors of the Cuban Liberty and Democratic Solidarity Act of 1996, known as the Libertad Act, and having served as a manager in the conference committee, I am concerned that the recent regulations and actions being taken by the Treasury and Commerce Departments contravene the purpose and intent of the law. As the final conference committee report of the Libertad Act made clear, ''It is the intent of the committee of conference that all economic sanctions in force are March 1, 1996, shall remain in effect until they are either suspended or terminated pursuant to the authorities provided in section 204 of this (requiring a Presidential determination that a Democratic transition is under way in Cuba).''

Those are the conditions I had previously addressed. The report also states that ''the explicit mandates in this legislation make clear congressional intent that U.S. law be enforced fully and, thereby, provide a basis for strict congressional oversights of executive branch enforcement measures henceforth.''

In furtherance of this intent, the prohibition on U.S. assistance and financing of agricultural sales to Cuba, the prohibition on additional imports from Cuba, and the prohibition of travel relating to tourist activities in the Trade Sanctions Reform and Export Enhancement Act of 2000 are explicit, clear and leave no room for exceptions.

These provisions were precisely written to deny U.S. funds to the Castro regime's repressive machinery and prohibiting them from being funneled through Castro's monopolies. Yet that is the direction—perhaps unintended—the new regulations are headed in, with the tragic, repressive consequences on full display.

Any hope that President Obama's goodwill would elicit a different tone from Raul Castro was further diminished by the Cuban dictator's speech to the U.N. General Assembly last month. Castro dedicated his 17-minute speech almost entirely to bashing the policies of the United States from Latin America to Eastern Europe to the Middle East. He praised Latin American autocrats in the mold of Hugo Chavez, sided with Putin and Assad, criticized representative democracy, and dismissed human rights as a ''utopia.'' While President Obama referred to the concessions he has already made in his remarks to the U.N. General Assembly, Raul Castro audaciously demanded even more.

So let me close by saying we all remember the message President Obama sent to the foes of freedom in his first inaugural speech. He said, ''[W]e will extend a hand if you are willing to unclench your fist.'' I urge the President to follow his own doctrine and reconsider some of the unmerited and unreciprocated generosity in this new policy, for Raul Castro's fist clearly remains clenched, yet the President's hand is still fully extended.

The President claims those who don't agree with his Cuba policy are stuck in the past, but it is the Castro regime that is stuck in the past, still living their misguided Cold War dreams in a world that hasn't insisted they move forward. And when you own everything in the country—which the regime does—why would you be willing to give it up after 50-some-odd years? Instead, we are rewarding them for their intransigence. Unless we challenge them, we will not see change.

The fact is that hope and change do not come easily. They do not just happen. Like any parent with a child, they won't change unless you challenge them and give them a reason. Like Congress, it needs to be challenged to change. And so with Cuba the world needs to challenge the regime or change will never come—not give in and give everything. To do so only strengthens their resolve to hold on to their dictatorship and prolong the day when we can truly say to the world that ''Cuba es Libre''—Cuba is free.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, while he is still on the floor, I want to thank the Senator from New Jersey for his remarks. He is clearly one of the institution's experts on Cuba and the Castro regime, and I think we need to pay attention to what he is saying.

Unfortunately, we seem to be dealing with other countries and other regimes as we hope they will be, not as they are in reality. That was an important set of remarks, so I thank the Senator.

Mr. President, yesterday the United States Senate voted to advance the National Defense Authorization Act—what we call the NDAA. I worry sometimes we talk in Senate-speak, and we don't actually communicate what legislation is, so I want to talk a little about what this defense—or national security—legislation is and why it is so important that it passes.

After passing both the House and the Senate earlier this summer, colleagues worked in a conference committee led by MAC THORNBERRY from Texas, chairman of the House Committee on Armed Services, and Senator JOHN MCCAIN, the chairman of the Senate Committee on Armed Services. I know they had a tough job in reconciling those two different versions of the legislation, but now they have come forward with strong bipartisan legislation that supports our military and our families.

My dad served for 31 years in the United States Air Force. He flew B–17s in World War II in the Army Air Corps. I proudly grew up as an Air Force brat, so this is personal to me, as I know it is to the Presiding Officer, who has served in the Marine Corps for a long time and for whom this is a very personal issue as well.

In my State of Texas we are very proud of our connection with the military. We claim—I am not sure it is exactly true but we make this claim—that one out of every ten persons in uniform calls Texas home. I think that is probably roughly correct, but we want to make sure that through this legislation we do our job to make sure our military gets the equipment and the training they need in order to perform the dangerous missions we ask them to perform here in the United States and around the world. That is what this legislation does.

For example, the bill authorizes funding for the Corpus Christi Army Depot. This installation is a true national treasure because what it does is to refurbish the rotary-wing aircraft that come from overseas. After they are battered and beaten up, they come back and make them like new. So when these army helicopters serve overseas, they come back for a pit stop in Corpus Christi at the depot, and they make sure they are ready for the next challenge our military faces. This legislation we will be voting on at 2 p.m. this afternoon authorizes funding for the construction of a new facility at the depot where helicopter engines and transmissions can continue to be repaired, and we can continue to equip, as we should, our military.

This Defense authorization bill also authorizes critical military construction, such as the barracks at the Air Force basic training program at Lackland Air Force Base in San Antonio, where thousands of airmen start their service to this Nation every year.

That was the first assignment for my dad, at Lackland Air Force Base in San Antonio, TX, when I was a freshman in high school. I have had the privilege of attending some of the graduation ceremonies there, and they are really an inspiration. You see this whole football field full of trainees learning, through their basic training, how to become airmen and to serve our country in the U.S. Air Force.

The real people and real installations are dependent upon this authorization bill becoming law. This defense legislation is integral to ensuring our military is well resourced, well trained, and ready for action when called upon. Importantly, this legislation also helps clarify the United States' long-term defense priorities and authorizes funds to equip our military to handle the multiple evolving conflicts around the world.

I am reminded that in August I visited the Pacific Command with some of

our colleagues here in the Senate, where we asked Admiral Harris, the four-star commander of the Pacific Command, what keeps him up at night. What are you most concerned about? At the top of his list was North Korea, governed by a volatile dictator with nuclear weapons and intercontinental ballistic missiles. I know General Dunford, the new Chairman of the Joint Chiefs of Staff and the former Commandant of the Marine Corps, had a little different ordering. He put Russia at the top, I think, then China, North Korea, and then ISIL, if I am not mistaken. But regardless of the exact order, we know there are numerous threats to world peace and regional security.

We learned the lesson on 9/11 that what happens overseas doesn't stay overseas. It directly affects our security right here at home too. That is why this legislation is so critical.

This Defense authorization bill also includes provisions that fund efforts to counter Russian aggression in Eastern Europe, where Vladimir Putin is trying to intimidate and coerce countries that are part of NATO, the North Atlantic Treaty Organization, and threatening them with the kind of aggression we have seen in Crimea and Ukraine. This bill helps counter that aggression. It also provides resources to help train and assist our partner nations in the Asia-Pacific, it provides help for Israeli missile defense and anti-tunneling defense, and it supports our partners in Afghanistan and throughout the Middle East to combat rampant terrorist activity.

So what we do here in the Senate and in this Congress and here in Washington, DC, is important to our national security and the safety of our Nation. That is why for over 50 years Congress has made passing the Defense authorization bill—what we sometimes refer to as the NDAA, the National Defense Authorization Act—that is why we have always made that a priority. All of us, regardless of political affiliation or ideology, believe it is fundamentally important to make sure our men and women in uniform, who are fighting on our behalf or standing ready to fight when called upon, faced with unprecedented threats around the world—we need to make sure, as a moral obligation, that they have what they need and that they know we are solidly behind them. That is what signal this legislation sends.

Now we have a chance to send this to the President—after we vote on this legislation—send it to him for his signature. But here is where I am troubled. President Obama has indicated he may well veto this legislation. And what, we might ask, would be his reason? Is there some provision of the legislation that he finds so repugnant or difficult that he wants to veto the legislation? Frankly, what the President and the White House have said is—they claim the funding levels outlined in the Defense authorization bill are ''irresponsible.'' But get this: These same funding levels are reflected in the President's own budget request. So we gave the President what he asked for, and he calls them ''irresponsible.'' What kind of hypocrisy is that?

I hope the President and his counselors at the White House will reconsider playing fast and loose with support for our troops and this important piece of legislation. This bill is bipartisan. We can have our fights over all sorts of things—and Heaven knows we will—in this polarized political environment, but if there is one thing on which we all ought to agree on a bipartisan basis, it is that this legislation needs to pass.

This support for our troops in an ever-dangerous world should be a priority. Fortunately, many of our Democratic friends understand this, and they have worked with us, and that is the way it should be. So I hope they aren't tempted to block this legislation in order to give cover to the President and to prevent him from being held accountable for his own decisions. This is not a time to play games, particularly with our national security and our men and women in uniform at stake.

Today our Armed Forces face a world with growing challenges in almost every corner of the world. As a matter of fact, I think the Director of National Intelligence, James Clapper, said he doesn't remember a time in his long career in the Air Force and now in the intelligence community where the world has faced more diverse threats and challenges. And, like it or not, the United States is the point of the spear in addressing those challenges. If the United States doesn't step up and lead, there is a vacuum created which does nothing but encourage these tyrants, these thugs, the dictators and other people who will take advantage of that void.

We can't tie our own hands behind our backs while asking our troops to fly into harm's way to support efforts against ISIS and Syria and Iraq or sail to the edges of the Pacific to keep Chinese ambitions in check or to accompany Afghan soldiers in deadly firefights against a resurgent Taliban. Right now, as I stand in this Chamber, we have Americans—soldiers, sailors, and marines—who are putting their lives at risk to defend this Nation. By definition, when they are deployed overseas, they are far away from home, separated from their loved ones and their families. We ought to always remember that for every man or woman who wears the uniform, there is a family back home who is serving our Nation as well who deserves our gratitude and our support. The last thing our military needs is a reason to question the strength of our convictions, and they need Congress to support them.

Our adversaries watch this sort of thing, too, because what they read into political dysfunction—particularly when it comes to something as important as our national security—is they see encouraging signs that maybe they can push the envelope a little further. Maybe they can challenge the United States and our allies a little more. Maybe they can grab a little more property, real estate. Maybe they can plant a flag someplace they otherwise would not because they see in our actions—particularly on something as important as this—a certain reticence, perhaps not a willingness to lead but, rather, an America retreating from our international responsibilities, and that is dangerous. That is dangerous.

I encourage all of our colleagues to simply vote once more in support of this legislation so we can send it to the President's desk. What he does is his responsibility. This legislation passed last June with more than 70 votes. If we can send this bill to the President with that same sort of overwhelming bipartisan support, the President won't be able to veto this legislation because he knows his veto can be overridden by a two-thirds vote in the House and the Senate.

So let's do our part together to show our men and women in uniform that our support for them will never ever waiver.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I appreciate the words of my friend from Texas. I just want to point out that our military is fully funded and that some of us believe our military is so important that it ought to be funded by real dollars, not make-believe smoke and mirrors.

I have a press release from the ranking member, the top Democrat on the Armed Services Committee, who said he opposes using budget gimmicks to fund the Pentagon, and he declined to sign the NDAA, which is very unusual.

If we really care about our military, and everyone does, we ought to fund with real dollars, not make-believe money—this one called OCO.

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

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

REED OPPOSES FUNDAMENTALLY FLAWED NDAA

TOP DEMOCRAT ON ARMED SERVICES COMMITTEE OPPOSES USING BUDGET GIMMICKS TO FUND THE PENTAGON & DECLINES TO SIGN NDAA CONFERENCE REPORT

WASHINGTON, DC.—Today, U.S. Senator Jack Reed (D–RI), the Ranking Member of the Armed Services Committee announced that he will not sign the Conference Report for the Fiscal Year 2016 National Defense Authorization Act (NDAA). Reed opposes the Conference Report because it uses an inefficient budget gimmick that underfunds the Pentagon's base budget while inflating the emergency war spending account known as the Overseas Contingency Operations (OCO) fund, which is exempted from Budget Control Act spending caps. As a result, about one out of every six dollars in this year's NDAA, nearly $90 billion, is counted off the books. ''There are many needed reforms in the Conference Committee Report, but the use of

emergency war funds does not realistically provide for the long-term support of our forces,'' said Senator Reed. ''I cannot sign this Conference Report because it fails to responsibly fix the sequester and provide our troops with the support they deserve.'' ''I remain committed to working toward a more balanced, responsible way to fix the sequester so our defense and domestic needs are met. Achieving that goal is essential to the security and financial well-being of the American people. The Department of Defense is critical to national security, but so are the FBI, Homeland Security, the Department of Justice, and many other federal agencies that help keep Americans safe,'' Reed concluded.

HIGHWAY BILL

Mrs. BOXER. Mr. President, I came over here because the American people keep hearing: Government shutdown. Government shutdown. What is going to happen?

The opinion of Congress is the lowest of all times because we are not doing our job. We are not doing our work.

We are facing three possible shutdowns.

The first one is the possible shutdown of our entire transportation program, and that has 22 days left. On this one, I want to praise the Senate because we stepped up, Democrats and Republicans together, and we said: We are not going to let this happen; we are going to work together and get a bill. I am going to talk about that in a bit.

The second date we face is in early November, when, if we don't raise the debt ceiling so we can pay for the programs everyone here voted for, the government will shut down and we will become, frankly, the people who have overseen for the first time a bankruptcy. We have to raise the debt ceiling. As Ronald Reagan said very eloquently—I don't have his exact quote, but he said something like this: Even the thought of not paying our bills, even the thought of not raising the debt ceiling should be avoided. But we face that made-up crisis.

The third one is December 11, where all of our budget has to be looked at and we have to come to some agreement on the fair level of spending for both defense and nondefense and all the things we do.

I am here to talk about the first deadline because I am intimately involved with this as the ranking member on the Environment and Public Works Committee. I want to start off by praising my chairman, JIM INHOFE. He and I don't see eye to eye on a lot of things, but we sure do when it comes to transportation.

One hundred days ago—my colleague knows this—the Senate Environment and Public Works Committee unanimously approved the DRIVE Act. It has been 68 days since the Senate passed the bill by a vote of 65 to 34—that is an overwhelming vote in a bipartisan way—and now we are down to 22 days before we shut down. People can say: Why are we going to shut down when the Senate has done its job? Because the House hasn't done its job. It is inexcusable.

If we can find the bipartisan will to work together to pass a long-term transportation bill that increases funding for roads and bridges and transit projects, certainly they can find it in the House, and they should find that consensus there. We are up against this deadline. We keep hearing that the House—or I did—is going to act. Now, as far as we know, they have put off the markup of the bill until the day before we have a shutdown. That is ridiculous.

I call on Republicans and Democrats over there to come together, just as we came together. It is painful here on so many issues, but we found the political will to do the right thing. Where is the House bill?

In September, 68 organizations sent a letter to the House calling on the House to pass the Transportation bill. Look who signed this. I will mention a few: the National Association of Manufacturers, the U.S. Chamber of Commerce, the Associated General Contractors, the Travel Association, Mothers Against Drunk Driving, the Laborers International Union, the American Bus Association, the AAA, the American Trucking Association, the Society of Civil Engineers, the American Public Works Association, the National Railroad Construction and Maintenance Association. This is pretty amazing. This goes on and on.

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:

SEPTEMBER 11, 2015.

DEAR REPRESENTATIVE: The undersigned organizations representing every sector of the U.S. economy urge all members of the House to pass a six-year reauthorization of the federal surface transportation program in 2015 that increases investment in highway and public transportation improvements.

America's transportation infrastructure network is the foundation on which the nation's economy functions. American manufacturers, industries and businesses depend on this complex system to move people, products and services every day of the year. It is also a direct contributor to enhanced personal mobility and quality of life for all Americans.

The Senate passed a multi-year surface transportation bill with substantial bipartisan support in July. It is now incumbent on the House of Representatives to keep the reauthorization process moving forward to ensure a six year bill is enacted before the latest short-term program extension expires October 29.

The U.S. economy and all Americans require a surface transportation infrastructure network that can keep pace with growing demands. A six-year federal commitment to prioritize and invest in our aging infrastructure and safety needs is essential to achieve this goal.

Temporary program extensions and eight years of recurring Highway Trust Fund revenue crises do not provide a path to future economic growth, jobs and increased competitiveness. We urge you to end this cycle of uncertainty by advocating and voting for a six-year surface transportation program reauthorization bill during 2015.

Sincerely,

National Association of Manufacturers, U.S. Chamber of Commerce, American Road & Transportation Builders Association, Associated General Contractors of America, U.S. Travel Association, Mothers Against Drunk Driving, International Union of Operating Engineers, Laborers International Union of North America, Building America's Future, AAA, National Retail Federation, American Association of State Highway and Transportation Officials, American Public Transportation Association, American Trucking Association, American Society of Civil Engineers.

American Public Works Association, American Highway Users Alliance, National Ready Mixed Concrete Association (NRMCA), Associated Equipment Distributors, American Concrete Pressure Pipe Association, American Association of Port Authorities, Coalition for America's Gateways & Trade Corridors, National Stone, Sand & Gravel Association, Industrial Minerals Association—North America, Auto Care Association, National Recreation and Park Association, National Electrical Contractors Association (NECA), National Tank Truck Carriers, Inc., American Concrete Pavement Association, North American Equipment Dealers Association, American Bus Association.

Transportation Intermediaries Association, Association of Equipment Manufacturers, National Steel Bridge Alliance (NSBA), Metropolitan Planning Council, Chicago, American Institute of Steel Construction (AISC), American Concrete Pipe Association, Institute of Makers of Explosives, National Safety Council, National Precast Concrete Association, The National Industrial Transportation League, Corn Refiners Association, Specialized Carriers & Rigging Association, National Asphalt Pavement Association, Construction & Demolition Recycling Association, American Council of Engineering Companies.

Concrete Reinforcing Steel Institute, Governors Highway Safety Association, North America's Building Trades Unions, National Electrical Manufacturers Association (NEMA), International Bridge, Tunnel and Turnpike Association, Energy Equipment and Infrastructure Alliance, American Iron and Steel Institute, American Traffic Safety Services Association, The Association of Union Constructors (TAUC), Asphalt Emulsion Manufacturers Association, Asphalt Recycling & Reclaiming Association, International Slurry Surfacing Association, Airports Council International–North America.

American Rental Association, Commercial Vehicle Safety Alliance, Precast/Prestressed Concrete Institute, National Railroad Construction & Maintenance Association (NRCMA), Motorcycle Riders Foundation, Intelligent Transportation Society of America (ITS America), Farm Equipment Manufacturers Association, NATSO, Representing America's Travel Plazas and Truckstops, National Association of Development Organizations (NADO), National Utility Contractors Association (NUCA).

Mrs. BOXER. All of these extraordinary organizations are behind the Senate bill—the Governors Highway Safety Association, American Concrete. This is America together. They are calling on us. And this is not a partisan issue.

It is incumbent on the House to keep the reauthorization process moving forward and not wait until October 29 when we are on top of the deadline and we have to do another extension. We

are all sick of it. Let me just say it doesn't work.

If you went to the bank and wanted to buy a house and they said, ''I have great news from you, Mr. and Mrs. America: You have been approved for a loan, but it is only for a year,'' you are not going to buy the house. It is the same way with our State highway people. They are not going to build a new highway or fix a road or invest in a transit program if they only have a few days of an extension that they can rely on. They want us to have a long-term bill. We passed the 6-year bill here with 3 years of pay-fors.

We have seen the organizations. I am saying that our people who drive on roads are Democrats, Republicans, Independents, liberals, conservatives, rightwing, leftwing, ''middlewing.'' It doesn't matter. This is one issue where we can come together, and the Senate proved we can come together. So our words—and I really speak for everyone. I know. I talked to Senator INHOFE, and he knows I am speaking today. The words we have for the House: Just do it. Just do it. If we can do it, you can do it. Short-term extensions don't work.

I gave the example of going for a mortgage. You are not going to invest in a house if you can only get a year's mortgage. The same thing is true if you want to buy a new car. If you go to the bank and they say, ''Great news: You are approved, but it is only for 3 months, or 90 days,'' you are not going to buy the car. It is the same way for our States.

I have a chart—I don't have it with me now—that shows how much the States rely on the Federal Government. I don't have it blown up, but I am going to go through this. It is so interesting. We have States that rely on the Federal Government highway program for anywhere from 30 percent all the way up to 100 percent. Many States rely on the Federal Government for over 70 percent. Mr. President, I ask unanimous consent that this list of the percentages by State be printed in the RECORD.

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

Federal Share of Each State's Capital Outlays for Highway & Bridge Projects

State	*Percentage*
Rhode Island	102
Alaska	93
Montana	87
Vermont	86
South Carolina	79
Hawaii	79
North Dakota	78
Wyoming	73
South Dakota	71
Connecticut	71
New Mexico	70
Idaho	68
Alabama	68
New Hampshire	68
Missouri	65
Mississippi	65
Colorado	64
Minnesota	64
Oklahoma	63

Federal Share of Each State's Capital Outlays for Highway & Bridge Projects—Continued

State	*Percentage*
Arkansas	62
Georgia	62
Tennessee	62
West Virginia	61
Iowa	59
Ohio	58
Virginia	57
Maine	57
Wisconsin	55
Oregon	54
Indiana	54
New York	54
District of Columbia	52
California	49
Nevada	49
Arizona	49
Nebraska	49
Kansas	49
Louisiana	48
North Carolina	48
Maryland	48
Texas	47
Pennsylvania	46
Washington	45
Kentucky	44
Michigan	41
Delaware	41
Florida	39
Illinois	39
Utah	38
Massachusetts	37
New Jersey	35

We know Delaware is 41 percent reliant on the Federal Government; Rhode Island is 100 percent reliant on the Federal Government; Vermont, 80 percent; Hawaii, 79 percent; Alaska, 93 percent.

This is something that is a partnership. This is a partnership. We work together with the States, but we are so disadvantaging our States. In my State, it is about 50–50. We raise our resources about 50 percent. But do you know what the other 50 percent means to California, because we have almost 40 million people? It is $4 billion a year. We can't do our program on our own.

As my friend JIM INHOFE says, it is a need that he feels as a conservative he can support. When you read the Constitution, we are one Nation; we are connected. We need to build these roads.

There are over 61,000 bridges that are structurally deficient. We know this. We have worked together to fix this problem, because we know, in a way, it is a moral issue. Once you know something is dangerous, you have to fix it. We did with the Senate bill. We call on the House to do the same. Now, 50 percent of our roads are in less than good condition. This is not news to most of our people. They understand it. They drive on these roads. It takes a toll on their cars. I forget the exact amount, but I think it is about $1,000 a year of costs for people who use their cars a lot from roads that are not in good condition.

Every day, there are over 215 million crossings by motorists on structurally deficient bridges in every single State in our great Union. Let's show you a list of some of these bridges that are in need of repair: Alabama, Arizona, Arkansas, California—our Golden Gate Bridge, our famous, incredible bridge. I crossed that bridge when I lived in Marin County every day for work. Seriously, the bottom line is that we need to act. Connecticut, District of Columbia, Colorado, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa—these are bridges in great need of repair. Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nevada, New Hampshire, New Jersey, New Mexico, New York—the Brooklyn Bridge, that iconic bridge, is dangerous and in need of repair. In North Carolina, there is a Greensboro bridge. Ohio, Oklahoma, Oregon, Pennsylvania—the Benjamin Franklin Bridge—Pennsylvania is the home of the chairman over there. In Oregon—the ranking member—there is the Columbia River Crossing. The Columbia River Crossing and the Benjamin Franklin Bridge are in the homes of the chairman and ranking member of the committee who have the obligation to get this done. There is South Carolina, Texas, Utah, Washington, and Wisconsin.

I have rushed this, but I don't want to spend the time naming every bridge. But this is where we are. A multiyear surface transportation bill is going to solve these problems, and we are going to start the work that needs to be done. We know there are still 1.3 million fewer construction workers today than in 2006, when the recession started. According to the Associated General Contractors, 24 States and the District of Columbia lost construction jobs between July and August. No wonder people look at Congress and they don't think we are doing a good job. We know all this.

The Senate has passed a good bill, bipartisan. All we are asking is what construction industry officials want us to do, and that is to stop the uncertainty about future Federal funding levels for highway and transit repairs. We know that the bill we passed in the Senate is a good bill. It is not as big as a lot of us wanted, and it is not as small as other people wanted. We found a sweet spot.

I am going to conclude by saying this. The reports I have heard indicate that the House Transportation and Infrastructure Committee may well take action at the end of this month. That is so late. Let's go back to the 22 days chart. We are 22 days away from a transportation shutdown. They are going to mark up on the very day that we lose the authorization to spend funds.

We know the writing is on the wall. They are going to send us some short-term legislation. I want to say I am not going to allow that because I will oppose any short-term extension that pulls pieces out of our bill and takes the pressure off of passing a bill, such as positive train control. We have taken care of positive train control in our bill. I am not going to pull it out and put it on a short-term extension—no. They will get nothing.

They have to do their job. That is why they are here. We know we can do

it. We proved it over here. We have really serious problems over here, but we did it. We did it. When you have 65 votes for something over here and you pull equally from both parties, you have a good product. We have serious issues, and they have to be addressed. We are not going to pull out special favorite pieces out of the highway bill and stick it on a short-term extension or have some stand-alone bill that solves positive train control or any other of the special issues that we have addressed in the bill. Everyone knows we have to act.

I know my friend is waiting patiently to make a few remarks. I simply want to conclude with this. We passed a good bill—over $55 billion for 6 years. There are two new programs, including a formula freight program that provides funds for all States to improve goods movement. We have included the McCaskill-Schumer rental cars bill so rental cars will be safe. We have the first-ever commuter rail fund for positive train control.

These are some of the good things we have done. Let's not throw it all away and get it all glommed up into the other problems we are facing, which are the date on the debt ceiling and the December 11 date on funding the budget. We don't have to do it. This is a special fund. It is the highway trust fund. It should not get enmeshed in the end-of-budget-year issues. We should take that crisis off the plate. We did it in the Senate. They should do it in the House. That is our message today to the House: Please, Republicans, Democrats, liberals, conservatives, moderates, everyone in between, come together for the good of this country and pass a highway bill. Let's get to conference. Let's get the best bill we can get and be done with it and, at least then, send a signal to the people of this country that we are doing our job.

I yield the floor.

The PRESIDING OFFICER (Mrs. ERNST). The Senator from North Dakota.

Mr. HOEVEN. Madam President, I rise to discuss the legislation before this body, the National Defense Authorization Act. Before doing so, I want to take a minute and address the DRIVE Act. I strongly support the DRIVE Act. It is very important that we have a 6-year highway bill for our country and that we get it in place. It was passed in a bipartisan basis. I think there are many provisions in it that will be very helpful, not only to our country but to each and every one of our States. We have worked on that legislation; we have passed it through regular order. It is vitally important.

When I go home and talk to my constituents in North Dakota, as I know is the case for all Members of this body, they express how important it is that we get not only a highway bill passed but a 6-year highway bill, a long-term highway bill passed so that these multiyear projects can go forward. We do need to get that done and get it done now so that we don't have an interruption in the Federal highway program.

To my esteemed colleague, I want to express my support as well for this important legislation. I appreciate both the work of the chairman of the Environment and Public Works Committee and of the ranking member—my colleague who is the ranking member on EPW. This is important legislation. We need to continue to work in a bipartisan way in both Houses—the Senate and House—and get this legislation done.

Mrs. BOXER. Would the Senator yield so I could thank him for a minute?

Mr. HOEVEN. I will.

Mrs. BOXER. Through the Chair, I want to thank the Senator so much because he was one of those people who really helped us. In addition, every member of the Environment and Public Works Committee, on both sides of the aisle, was terrific on this. In addition to the chairman, Senator INHOFE, I also want to single out Senator DURBIN and Senator MCCONNELL, because they stepped up from both sides of the leadership when it really looked as if it would never happen. We proved that we could do it. I am so grateful to my friend for showing his support because we have so many contentious issues. This is not one of them. I want to thank him very much for his comments.

Mr. HOEVEN. Madam President, again, I thank the Senator from California. This is important bipartisan legislation, and we need to continue to work to get it done.

I rise today to discuss the NDAA—the National Defense Authorization Act. It is likewise incredibly important legislation, in this case for our military—for our military and for the defense of this great Nation. I want to begin by commending the members of the Armed Services Committee, and especially Chairman MCCAIN, but all of them for their diligence. That means Members of both the Senate and the House, working together in conference committee after both Houses passed this legislation, passed the legislation through regular order. I emphasize that because it is so important that we follow regular order in this body and in the House, where we bring forward the legislation from the committees, bring it to the floor, have the debate, have the opportunity to offer amendments, debate those amendments, vote on those amendments, and then vote on the legislation. Let these bodies work their will. Send the legislation to the President. He makes his decision and we move forward.

I emphasize this right at the outset because it is so important that we work in this way through regular order so that we get to the important work of this country. I use this legislation as a great example—the National Defense Authorization Act, the defense of our Nation. We are moving forward because we are following regular order. We are working in the way I just described in both the Senate and the House, and that is what we need to do.

It is hard to overstate the importance of this legislation for our men and women in uniform and for the security of our Nation. I am pleased that we are now debating this conference agreement, and I look forward to moving to final passage. In just a few hours, at 2 p.m. eastern time today, we will be voting on final passage on this legislation.

There are several features of this bill that I want to highlight, and I am going to talk about a few of them. There are many important provisions, but I do want to highlight some of them here over the next few minutes. The first is in the area of personnel and benefits, taking care of those who put on the uniform—men and women who wear the uniform and put it all on the line for us and for our country.

This bill represents a continuing commitment to the well-being of our service men and women. It makes significant improvements to the benefits we offer to those who serve, particularly, by allowing military participation in the Thrift Savings Plan, as recommended by the Military Compensation and Retirement Modernization Commission.

We recognize that we need to reward those who stay in the military for 20 years with a strong retirement package. We also recognize through this legislation that those who serve less than 20 years deserve something in retirement as well. The Thrift Savings Plan provides a great mechanism to do that. I am very glad that we are able to include that in this legislation.

Let me touch for a minute on international security assistance. We face an incredible array of threats to our security and to the security of our allies. Those threats require immediate and careful attention, and this legislation points us in that direction and provides important tools. Because of the serious concerns many of us have about the efforts to fight ISIL, the National Defense Authorization Act increases congressional oversight of the effort to support the fight against ISIL in Syria.

We should not wait to pass this legislation. There is too much at stake in critical regions of the world, and we need to move forward. We should pass this legislation immediately, and the President should sign it right away so that our military has all of the authorities it needs to address threats such as ISIL as soon as possible.

I will talk for a minute about some of the critical defense programs. Of course the military needs the best tools available in order to meet the security threats of today and tomorrow.

The National Defense Authorization Act for Fiscal Year 2016 provides authorization for a number of key weapon systems, including the Air Force's new long-range strike bomber and the aerial refueling tanker programs, missile

defense, and a wide range of other procurement priorities. Delaying these programs now will harm our national security in the future, so it is important to keep them on track by passing this legislation and getting it signed into law.

I am also very pleased that the fiscal year 2016 legislation provides full authority for the Air Force's nuclear forces, including the B–52 bomber and the Minuteman III ICBM as well as the Global Hawk unmanned aircraft. Our Global Hawks provide incredible intelligence, surveillance, and reconnaissance capabilities. In North Dakota, we are proud to host the capabilities that make such vital contributions to the defense of our Nation—two of the legs of the nuclear triad—the intercontinental ballistic missiles and the B–52 bombers, as well as the unmanned Global Hawk.

I also want to say another word about remotely piloted aircraft, RPAs. The Air Force has been squeezed by the demand for the capabilities we have in the Predator and the Reaper, and it has been difficult to meet those demands and still have the capacity to train new pilots for these RPAs, remotely piloted aircraft.

I wish to commend the members of the conference committee for a very strong section in this legislation that requires the Air Force to consider all of its options to train additional RPA pilots. I have been advocating using the private sector to increase our capability to train those pilots. That is a step that can be done in the short term without drawing down our ability to support commanders in theater.

Right now the commanders in theater want those remotely piloted aircraft for the mission. That is a very high operations tempo. That doesn't leave pilots available here at home to train new pilots to fly these aircraft. That is why a private sector solution can be so helpful to our Air Force, and that is the language I worked so hard to include in this legislation.

I also have language in the report that goes along with the fiscal year 2016 Defense appropriations bill. The companion bill to the authorization bill is the appropriations bill. I included language in the appropriations bill that instructs the Air Force to look at private sector-led training. My hope is that between that language and what we are passing in this authorization bill, the Air Force will find a way to leverage the private sector to enhance what the Air Force can do with its RPA fleet, meaning a higher ops tempo, and at the same time train new pilots and bring them into the system to fly unmanned aircraft.

Finally, I will highlight a couple of items that are important to North Dakota specifically. One is an amendment I offered during floor consideration of the NDAA in the Senate. This language directs the Air Force to determine the feasibility of partnering the Air National Guard with the Active-Duty Air Force to operate and maintain the Global Hawk. Similar to what it does in support of the Predator and Reaper missions, I believe the Air National Guard can provide a valuable contribution to the Global Hawk missions. I am very grateful that the conferees retained this amendment in the bill, and I hope that it will prove to be valuable not only in North Dakota but will set an example that can be followed with other aircraft and the Air National Guard units in other States across the country.

I also wish to thank the conferees for including a $7.3 million authorization to construct a new Intelligence Targeting Facility at Hector Field in Fargo. Our Air National Guard is taking on an exciting new targeting mission and this much needed facility will give them the space required and the capability—the facilities and resources necessary—to do that job right. They are already doing an outstanding job, but they need this secure facility as part of this highly specialized and highly important mission.

I worked on this project through the military construction appropriations subcommittee, and I look forward to completing the authorizing and appropriating legislation so we can get construction started on this new facility in Fargo.

The bottom line is that this legislation includes many provisions that are important for our men and women in uniform, that are critical to our national security, and that are vital to each of our States. The bill is well crafted, and it has received bipartisan support. It is absolutely necessary that we move forward and pass it and that it becomes law, so I will touch on that aspect of the legislation for just a minute as well.

The President has indicated that he intends to veto this legislation. So he intends to veto legislation that is passing through this body with very strong bipartisan support. The irony is that he is vetoing this legislation because we included additional funding in the legislation for our military that is incredibly important and is very much needed. But he is saying, nope, that is not what he wants done and has indicated that he will veto the legislation.

It is very important today that we have strong bipartisan support to send a clear message that if this legislation is vetoed, this body and the House will override that veto. We have to stand strong on a bipartisan basis. We have to make sure that we get this legislation passed, not just for our men and women in uniform but for the good and for the security of our country.

This is vitally important legislation. This is about making sure that we join together in a bipartisan way and get it done for our men and women in uniform, and then there is still more to do.

This is the authorizing legislation. Then we have to pass the appropriating bill that goes with this legislation so that we fund the authorizations provided in this legislation, and not until all three things are done have we stepped up and got the job done for our military. We need to pass this authorization. We need to make sure that we override any veto—should the President decide to veto this very important legislation—and then we need to stand strong, come together, and make sure we do not have a filibuster of the companion bill, the Defense appropriations bill, which goes with this authorization. Then, and only then, will we have the job done that we need to do for our men and women in uniform. That is the task before us, and that is what we need to get done. We need to keep our eye on that ball very clearly, and we need to make sure the American people understand that we have to pass this legislation, override any veto, and then pass the companion Defense appropriations bill. Only then have we got the job done for our men and women in uniform who put it all on the line for us.

With that, I yield the floor.

SECTION 1045

Mrs. FEINSTEIN. Madam President, I want to thank Chairman MCCAIN and Ranking Member REED for their efforts to include an anti-torture provision in the conference report on the National Defense Authorization Act for Fiscal Year 2016, H.R. 1735. As a coauthor of this provision—Section 1045 of the conference report—I am pleased that there will now be clear limits on interrogation techniques so that the United States can never again conduct coercive and abusive interrogations or indefinite secret detentions.

Section 1045 applies the restrictions on interrogations in the Army Field Manual under current law to the entire U.S. Government. The provision therefore extends to the whole of government what Congress did in 2005, by a vote of 90–9, with the Detainee Treatment Act, which banned the Department of Defense from using techniques not authorized by the Army Field Manual. The Detainee Treatment Act also banned across the government the use of cruel, inhumane, and degrading treatment or punishment.

Section 1045 also requires prompt access by the International Committee of the Red Cross to any detainee held by the U.S. Government.

Madam President, I ask unanimous consent to engage in a colloquy with the chairman of the Armed Services Committee, Senator MCCAIN, to provide clear legislative history as the coauthors of the amendment.

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

Mrs. FEINSTEIN. I would like to start by asking the distinguished Senator from Arizona, Mr. MCCAIN, a question concerning this anti-torture provision, Section 1045.

Some have raised the concerns about the exemption in this provision for Federal law enforcement agencies. The concern is that this new provision

might supersede other laws, rules, and guidance that apply to Federal law enforcement agencies. The language in the Senate-passed bill made clear that Federal law enforcement agencies could use interrogation techniques outside of the Army Field Manual if those techniques are authorized, noncoercive, and ''designed to elicit voluntary statements and do not involve the use of force, threats, or promises.''

Does the absence of this language in the conference report somehow open the door to the use of coercive interrogation techniques by those agencies? Is that the intent of the law enforcement exception in Section 1045?

Mr. MCCAIN. No. I assure the Senator from California that this is not the case and that I would not have agreed to any such provision if it were. The conferees decided that the requirement that all U.S. interrogations be conducted in accordance with the Army Field Manual on interrogations should not apply to Federal law enforcement officials for two simple, straightforward reasons.

First, Federal law enforcement agencies already have an extensive and well-established set of rules and procedures concerning interrogations because law enforcement interrogations are by definition conducted to produce statements that are voluntary and admissible in court. Those rules and procedures strictly prohibit the use of coercive techniques.

Second, the U.S. Army Field Manual was not written with law enforcement circumstances in mind, and it is unnecessary to ask law enforcement agencies to use or adapt the Army Field Manual when they already have their own rules and procedures for noncoercive interrogations.

Since at least 2004, it has been the policy of the FBI that ''no attempt be made to obtain a statement by force, threats, or promises,'' according to the Legal Handbook for FBI Special Agents, as publicly recounted by the FBI general counsel in July 24, 2004, congressional testimony. This and other such rules and applicable restrictions are unaffected by this provision.

In short, we did not ''open the door'' to coercive techniques by law enforcement in any way. We left the existing law enforcement rules under current law and Executive order in place. Indeed, as the joint explanatory statement of managers in this conference report states: ''The conferees recognize that law enforcement personnel may continue to use authorized non-coercive techniques of interrogation, and that Army Field Manual 2–22.3 is designed to reflect best practices for interrogation to elicit reliable statements.''

Also, it should go without saying that the exemption for ''Federal law enforcement entities'' does not apply to the Central Intelligence Agency, Department of Defense, and the like, but rather includes entities like the Federal Bureau of Investigation and the Department of Homeland Security, as specified.

It is false to suggest that the conferees in any way agreed to allow the use of coercive interrogations by law enforcement agencies. We have banned coercive interrogations because they are a stain on our national character, ineffective, and counterproductive to our foreign policy goals.

I did not work for more than a decade to preclude coercive interrogations only to agree to permit them so long as they are carried out by a different set of agencies. I did not, and this provision does no such thing. The rules and strictures on coercive interrogations by Federal law enforcement agencies are completely unaffected by this provision. I say that as the coauthor of the Senate amendment and as the chairman of the Armed Services Committee, who negotiated the agreement on the final language.

Mrs. FEINSTEIN. I want to thank Chairman MCCAIN for explaining the legislative intent of the provision and for making clear that this legislation does not allow the use of coercive interrogations by Federal law enforcement agencies.

I would also like to ask the Senator for his view on one additional change made to the anti-torture provision in the conference process. The Senate bill required the Secretary of Defense, in coordination with other specified officials, to review the Army Field Manual for update and revision. The Senate bill required this to be completed within a year from the date of enactment and once every 3 years thereafter. The conference report changes the timeline for that review, so that it occurs not sooner than 3 years from the date of enactment, and then every 3 years thereafter. Can the chairman of the committee clarify the reasoning behind that change?

Mr. MCCAIN. I thank the Senator for the question. There was a concern among the conferees that the Senate provision would not allow adequate time for the mandatory review, especially given the broadening of the application of the Army Field Manual to the rest of government. In light of this change, and the importance of the review, the conferees decided that 3 years was a more appropriate timeline.

I would also like to clarify one point, as there has been some confusion. It has been pointed out that the conference report requires the mandatory review of the Army Field Manual to be completed ''not sooner than'' 3 years from the date of enactment. This should not be read as allowing the review to be done far in excess of 3 years or potentially not at all. This language appears under the heading ''Requirement to Update,'' and it is the conferees' view that this review must be completed on or shortly after 3 years from the date of enactment.

Mrs. FEINSTEIN. Again, I thank the chairman and congratulate him for his very important legislative achievement.

Madam President, I want to thank Chairman MCCAIN and Ranking Member REED for their efforts to include an anti-torture provision in the conference report on the National Defense Authorization Act for Fiscal Year 2016, H.R. 1735.

Section 1045 of the conference report establishes clear limits on interrogation techniques so that the United States can never again conduct coercive and abusive interrogations or indefinite secret detentions.

Section 1045 applies the restrictions on interrogations in the Army Field Manual under current law to the entire U.S. Government. The provision therefore extends what Congress did in 2005, by a vote of 90–9, with the Detainee Treatment Act, which banned the Department of Defense from using techniques not authorized by the Army Field Manual, and also banned across the government the use of cruel, inhumane, and degrading treatment or punishment.

Section 1045 also requires prompt access by the International Committee of the Red Cross to any detainee held by the U.S. Government.

Both of these provisions are consistent with U.S. policy for the past several years, but Section 1045 will now codify these requirements into law.

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

That Executive order, No. 13491, formally prohibits—as a matter of policy—the use of interrogation techniques not specifically authorized by Army Field Manual 2–22.3 on human intelligence collector operations. Section 1045 places that restriction into law, which is long overdue.

What this means is that a future President can't simply rewrite the policy—these limitations are now a matter of law and can't be undone without a future act of Congress.

Section 1045(a)(2) states that an individual in custody or otherwise detained ''shall not be subjected to any interrogation technique or approach, or any treatment related to interrogation, that is not authorized by and listed in the Army Field Manual.''

Section 1045(a)(2)(B)(i) makes clear that the ban on interrogation techniques not authorized by the Army Field Manual applies to all individuals ''in the custody or under the effective control of an officer, employee, or other agent of the United States Government,'' whether during or outside an armed conflict.

This is a very important change. Unlike the Executive order, which only applies to armed conflict, we are saying with this law that coercive interrogations will never again be used, period.

Section 1045(b) codifies a separate section of President Obama's January 2009 Executive order, requiring access by the International Committee of the

Red Cross to all U.S. detainees in U.S. Government custody—which has been historically granted by the United States and other law-abiding nations and is needed to fulfill our obligations under international law, such as in the Geneva Conventions.

I know my colleagues are well aware of the executive summary of the study released by the Intelligence Committee in December 2014 on the deeply flawed detention and interrogation program carried out by the CIA beginning in 2002.

During my floor speech on the study in December 2014, I described how the interrogations of CIA detainees from 2002 onward were absolutely brutal and ineffective.

In August of 2014, President Obama said what many of us have known for years: that the CIA's now-defunct interrogation program amounted to torture.

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

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

More recently, in a September 11, 2015, letter to me, Director Brennan wrote that ''CIA strictly adheres to Executive Order 13491, 3 C.F.R. 199 (2009), and fully supports efforts to codify key provisions of the executive order in the National Defense Authorization Act for FY 2016.''

As a result of the anti-torture statute (18 U.S.C. §2340A) and passage of the Detainee Treatment Act in 2005, current law already bans torture, as well as cruel, inhuman, or degrading treatment or punishment.

However, the provision in this bill is still necessary because the CIA was able to employ brutal interrogation techniques based on deeply flawed legal theories that those techniques did not constitute ''torture'' or ''cruel, inhumane, or degrading treatment.''

Opinions written by the Department of Justice's Office of Legal Counsel, OLC, which could not withstand scrutiny and have since been withdrawn, managed to twist legal reasoning beyond all recognition and find that waterboarding, sleep deprivation up to 180 hours at a time, stress positions, slamming a detainee into a wall, and other similar techniques were not torture.

OLC reached these erroneous legal judgments by ignoring the inherent brutality of the CIA's so-called enhanced interrogation techniques. While ignoring that fact, OLC claimed CIA's techniques were a necessity to keep Americans safe and OLC mistakenly found the CIA program was managed and implemented with great care, which it was not.

This stood in stark contrast to the clear language of the anti-torture statute in the U.S. Code, and the Convention against Torture, which the U.S. Senate ratified in 1994.

That convention, clearly and absolutely, bans torture. It says: ''No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture.''

And yet so-called enhanced interrogation techniques—not allowed by the Army Field Manual, were approved, used, and abused by the Bush administration.

Section 1045 will serve as an additional bulwark to prevent similar techniques from ever be used again by imposing—on all of the U.S. Government—the same restrictions that apply to the U.S. military today under the Detainee Treatment Act.

In order to make sure that the legislative history is clear, I'd like to describe the minor changes that were made to the language of this anti-torture provision during the conference.

As described in the joint explanatory statement of the committee of the conference, the following two minor changes were made to the amendment.

First, regarding the applicability of this new provision to law enforcement interrogations, Section 1045 makes clear that the new limitations ''shall not apply to officers, employees, or agents of the Federal Bureau of Investigation, the Department of Homeland Security, or other Federal law enforcement entities.''

The version that passed the Senate and this final version both have an exemption for law enforcement because law enforcement agencies do not use the Army Field Manual and are already required to use noncoercive interrogation methods in which officers question suspects in order to elicit voluntary statements.

This exemption is consistent with and reinforces the relevant requirements of Executive Order 13491 on ''Ensuring Lawful Interrogations,'' which allows law enforcement agents to use only ''authorized, non-coercive techniques of interrogation that are designed to elicit voluntary statements and do not involve the use of force, threats, or promises.''

For example, since at least 2004, it has been the policy of the FBI that ''no attempt be made to obtain a statement by force, threats, or promises,'' according to the Legal Handbook for FBI Special Agents which was publicly recounted by the FBI general counsel in July 24, 2004, congressional testimony.

As the conferees to the defense bill wrote in their joint explanatory statement: ''The conferees recognize that law enforcement personnel may continue to use authorized non-coercive techniques of interrogation.'' The absence of this language in the final bill text should not be interpreted as any authorization for law enforcement to use any coercive interrogation techniques.

The second minor change to the anti-torture amendment that was made in the conference committee is that the timing for the completion of the required update to the Army Field Manual—after the specified ''thorough review''—was changed from ''[n]ot later than one year'' to ''[n]ot sooner than three years'' in subsection (a)(6)(A) of Section 1045.

This change does not alter the importance of the required review, the imperative that it be initiated in the immediate future, and that it be completed in 3 years' time.

The language of the provision is clear: the conferees wanted the Secretary of Defense to be thorough and gave him 3 years to complete the review. But the amendment says that he ''shall complete'' a thorough review after 3 years, not that he ''shall initiate'' a thorough review after 3 years.

It is also important to point out that, regardless of the timing of this statutorily required review, this administration or the subsequent administration may at any time revise portions or the entirety of the Army Field Manual.

As Section 1045(a)(6)(A) states, revising the Army Field Manual is not optional; it is a ''requirement to update.'' Moreover, the provision makes clear that this requirement must be undertaken every 3 years. Therefore, it would be inconsistent with the title, structure, and purpose of this subsection to suggest that the initial review following enactment can be postponed indefinitely.

Also, as the amendment notes, revisions to the Army Field Manual may be necessary to ensure that it complies with the legal obligations of the United States, a requirement that the executive branch is obligated to adhere to at all times.

In addition, no matter when the updates to the Army Field Manual are made, the manual ''is designed to reflect best practices for interrogation to elicit reliable statements,'' as the conferees also wrote their joint explanatory statement. America's best and most experienced interrogators have consistently and emphatically stated that best practices for eliciting reliable, actionable intelligence solely involve noncoercive techniques that elicit voluntary statements.

Let me now turn briefly to part (b) of Section 1045, which codifies part of President Obama's Executive order of January 2009 requiring access by the International Committee of the Red Cross, ICRC, to all U.S. detainees in U.S. Government custody.

This requirement—which is based on our obligations under international

law—has had bipartisan support in previous Congresses.

As we know from our own history and from the experiences of detainees around the world, closing the door to the ICRC opens the door to torture and other forms of mistreatment. Providing ICRC access is also necessary for our moral standing and critical to our efforts to defend human rights abroad.

Finally, our troops depend on the promise of ICRC access should they be taken prisoner. Now is the time to ensure that we live up to the values—in practice and in law—that we expect will be accorded to our own members of the military.

I have been opposed to coercive interrogations and the use of so-called enhanced interrogation techniques since I first learned of their use at Abu Ghraib and by the CIA. This bill, at long last, puts the end to them. I am very proud to have been part of the process to author and support this provision and very much thank the bill managers for their insistence that it remain in the final legislation.

Whatever one may think about the CIA's former detention and interrogation program, we should all agree that there can be no turning back to the era of torture. Coercive interrogation techniques do not work, they corrode our moral standing, and ultimately, they undermine counterterrorism policies they are intended to support.

Thank you.

The PRESIDING OFFICER. The Senator from Florida.

YOUTUBE KIDS APP

Mr. NELSON. Madam President, a few weeks ago I brought to the attention of the Senate the continuing new challenges that we have with the Internet and the fact that so much material is available to all of us, including our youngest citizens, indeed, our toddlers.

The question is: What is appropriate content for our toddlers? Google has put up a YouTube application for kids. They call it YouTube Kids. I have some pictures here that show some of the content on that application. First of all, I think this picture is self-explanatory. It says: How to open a beer with another beer. Mind you, this is a YouTube Kids application. Toddlers can access this information. It says: How to open a beer, and it goes through the sequence. This is another fairly graphic picture of how to open a beer with a beer.

Is that appropriate for young children? It is readily available and promoted by Google. I doubt that we would conclude that it is. Here is another one.

This one has wine-tasting tips. What is tannin in wine? Identifying acidity in wine.

Here is the cutest baby song in the world, ''Everybody Dance Now.'' That doesn't look too bad. Here is Alvin and the Chipmunks. This has nursery rhymes for babies, but when you play it, there are some unusual words in there, and so forth and so on. You get the picture. This is for children. This is for little ones.

Now here is a picture that shows how to make sulfuric acid two ways. Is that appropriate for toddlers?

I have another example. This shows how to make toxic chlorine gas. Is that appropriate for young children? I don't think so.

I wrote to Google, and fortunately Google responded. I wish to share with the Senate what I believe are steps in the right direction, but not enough. For example, I asked: What policies and procedures govern the inclusion of the videos on this app?

The answer in the Google letter is that Google uses algorithms that govern the automated system. Parents can notify Google of problem videos. Google will be informing parents on how to change its settings to allow parents to be more restrictive with the range of videos their kids can access.

Well, why should parents have to intercede when their algorithms—if you type in a search for beer—come up with what I showed you? It shows us how to open a beer with another beer. That seems contrary to common sense.

Then we ask: What factors determine whether content is suitable for children?

Google's answer is: An automated system and parental complaints.

I ask in my letter: For what age range must content be suitable?

Google did not answer that question.

I additionally ask: What steps, such as filtering, does Google take to ensure unsuitable content does not appear in search results on YouTube Kids? Do these steps apply to new content uploaded to YouTube Kids?

Google's answer was: Google uses algorithms in the automated system. Google will soon be informing parents on how to change settings and restrict the range of videos. That is the same answer that applied to a previous question.

So I ask: How long after content is flagged does Google assess its suitability?

The answer is quite unclear. The statement in this letter was: Google personnel quickly manually review any videos that are flagged.

So I additionally ask: How does Google remove content that is deemed unsuitable for YouTube Kids and ensure that it continues to be inaccessible to YouTube Kids?

The answer from the letter is: The video is manually removed by Google employees. That is the automatic way of what is deemed unsuitable to ensure that it continues to be inaccessible.

So I ask: What policies and procedures govern how Google determines the suitability of advertisements and whether they can appear on this app?

The answer is: Advertising must abide by three core principles which include that ads maintain an appropriate viewing environment, that they not be based on data tracking, and that they are formatted to enable exclusive YouTube Kids control.

That is nice. How do we get those beer advertisements off of there?

Then I ask: What policies and procedures does Google use, if any, to distinguish advertisements and paid content from unpaid content on YouTube Kids?

The answer is: Paid advertisements are clearly labeled.

We have constantly had this tension with any publication as to what is appropriate content. The movie industry years ago went through this with the rating system. But now we are in the age of the Internet and, as such, it is ubiquitous and it is available to very small children who want to know how to use a device that they see everybody else using. On an application that is specifically designed for children, if we allow this kind of stuff to go on, then where are our commonsense values? We don't want to be teaching a toddler about beer and wine and about how to open a beer bottle with your teeth, and we certainly don't want to be throwing out pictures such as these for toddlers to see. Maybe there is a time and place for that under parental discretion and guidance—but not available on an app for children.

I want to thank Google publicly for making a first step, but it is only that. It is a first step. Since this is an app by Google for small children, Google has a responsibility. If there is a privilege of doing an app like this, then there must be accountability, and Google has to accept that responsibility to be accountable.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. PERDUE. Madam President, I rise today to speak in favor of the National Defense Authorization Act. I strongly urge my colleagues in this body to vote for the NDAA and send it to the President's desk for signature. Let's move to fund our military.

The threats to our Nation have never been greater or more complex in my entire life. As a member of the Senate Foreign Relations Committee, I am given daily briefs of what I believe is an emerging global security crisis.

This administration just completed a nuclear deal with Iran that stokes the fears of our friends and allies in the region and releases tens of billions of dollars in sanctions relief to a regime that is the world's worst state sponsor of terrorism. We have had to bolster our support to allies in the region in an attempt to mitigate the impact of further Iranian spending to support Assad in Syria, the Houthi rebels in Yemen, Hezbollah, Hamas, and terrorism worldwide. We have seen the astonishing rise of ISIS as they have taken advantage of the power vacuum we left

behind by prematurely withdrawing our troops from Iraq. I would hate to see history repeat itself in Afghanistan, which is actually being discussed as we speak today.

Meanwhile, traditional rivals are aggressively posturing on two other fronts. China is antagonizing our allies in the Pacific Rim, and Russia is testing the resolve of our NATO alliance, blatantly grabbing sovereign territory in Ukraine, Crimea, and injecting troops and war materiel into Syria.

At the same time we see an increase in symmetric and asymmetric threats, we are headed in a direction where we are about to have the smallest Army since World War II, the smallest Navy since World War I, and the smallest Air Force ever.

Meanwhile, the Chinese alone are rapidly expanding their investment in their military and their forces in the Asian Pacific region and are set to double their defense budget by 2020. As a matter of fact, I was recently briefed at U.S. Pacific Command headquarters on the developments of U.S. forces in the Asia-Pacific in comparison directly to those of China. This is very alarming. In 1999, the U.S. military had a dominant and protective position in the Asia-Pacific and was totally capable of protecting our interests in the region. Today, however, China has reached military parity in the region. What is really troubling are the projections for 2020, however, in which China's relative combat power and presence in the region will be significantly more dominant than that of the United States.

That is why we need to ensure that we continue funding our military at the appropriate level. We need to ensure that our brave service men and women have the tools, training, and technology they need to meet the current threats we face on a daily basis but also to tackle what is coming in the future.

This year's NDAA reinforces the mission against ISIS and Operation Inherent Resolve. It provides assistance and sustainment to the military and national security forces of Ukraine, including the authority for lethal aid to Ukraine for defensive purposes. This NDAA fills critical gaps in readiness, ensuring that our service men and women meet their training requirements and have mission-capable equipment.

The convergence of our fiscal debt crisis and our global security crisis is indeed a sobering reality, and they must be resolved simultaneously. In order to have a strong foreign policy, we have to have a strong military, and to have a strong military, we have to have a strong economy. We have to solve our debt crisis at the same time that we continue to dominate militarily.

As former Joint Chiefs of Staff Chairman Admiral Mullen once said, ''The most significant threat to our national security is our [Federal] debt.'' That fact still rings true today.

Having recently visited our troops and military leaders in the Middle East and the Asia-Pacific regions, I can tell you that the very best of America is in uniform around the world in our military, putting their lives in jeopardy every day to protect our freedom here at home. Our military is made up of some of the finest, smartest, and bravest people I have ever met. They are true American heroes committed to defending our freedom. They deserve our unwavering support.

One of the 6 reasons—only 6 reasons—why 13 Colonies came together in the beginning of our country to form this Nation, as enshrined in our Constitution, was to provide for the common defense. As George Washington said, ''To be prepared for war is one of the most effective means of preserving peace.'' Indeed, as we have learned over and over, maintaining a strong national defense can actually deter aggression. We absolutely must maintain a military force so strong that no enemy in its right mind would challenge us and those who dare have no hope in defeating us.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Under the previous order, the time until 1:30 p.m. will be controlled by the Democratic manager or his designee and the time from 1:30 p.m. until 2 p.m. will be controlled by the chairman of the Committee on Armed Services or his designee.

The Senator from Rhode Island.

Mr. REED. Madam President, I rise once again to speak about the fiscal year's national defense authorization conference report. Yesterday I spoke at length about the OCO funding issue, and that, to me, is the most critical issue in the bill and one that has caused me to reluctantly not support the conference report. But this time I will discuss the conference report in its entirety.

Again, I would like to thank Chairman MCCAIN, Chairman THORNBERRY, and Ranking Member SMITH for a very thoughtful and cooperative process which allowed us to reach agreement on some very difficult issues. I also thank in particular the staff of the House and Senate Armed Services Committees, who worked tirelessly over several months to resolve differences on over 800 different provisions.

As I stated yesterday, in many respects this is a good conference report which supports our men and women in uniform and establishes many much needed reforms and, with the exception of the OCO position, would be something that would have widespread support.

There are many provisions in the bill that are commendable. This conference report authorizes a 1.3-percent pay raise for servicemembers and reauthorizes a number of expiring bonuses and special pay authorities to encourage enlistment, reenlistment, and continued service by Active-Duty and Reserve component military personnel.

Significantly, it includes much needed reform of the military retirement system and brings the military retirement system into the 21st century for a new generation of recruits.

It also deals with the need to begin to bring into better control personnel costs at the Department of Defense because, as we all recognize, there is a huge trendline of personnel costs that would outstrip at some point the training and equipment that are necessary to the vitality and agility of the force.

One example is the pilot program to test approaches to the commissary and exchange system to see if there are ways in which that can be handled more efficiently without preventing military personnel from enjoying that benefit they have earned.

The report also includes a commitment to seriously consider reforms to military health care in the coming year. All told, these personnel authorities and reforms will serve tomorrow's servicemembers and their families, and they will save the Department of Defense annually in its discretionary budget, allowing that funding to be reapplied to readiness and modernization or even to maintaining a larger force.

The conference report includes roughly 60 provisions on acquisition reform. I commend in particular Chairman MCCAIN for his efforts in this area. It is a long history and a proud history. He worked with Chairman LEVIN. Previously he has worked with so many others. He has made this a personal area of not only concern but of notable action. The provisions will help streamline acquisition processes, allow DOD to access commercial and small businesses, and improve the acquisition workforce. They build on the success of the reforms led by the chairman in the Weapons System Acquisition Reform Act of 2009.

The report also includes a number of provisions that will strengthen DOD's ability to develop next-generation technologies and weapons systems and maintain our technological superiority on the battlefield. The report strengthens the DOD laboratories and increases funding for university research programs and STEM education. It also contains a number of provisions that will make it easier for the Pentagon to work with high-tech small businesses, bringing their innovative ideas into the defense industrial base.

With respect to cyber security, this report includes multiple provisions, some of which I sponsored and all of which I support. These include a requirement for biannual whole-of-nation

exercises on responding to cyber attacks on critical infrastructure, independent assessment of Cyber Command's ability to defend the Nation against cyber attack, comprehensive assessments of the cyber vulnerabilities of major weapons systems, and the provision of limited acquisition authorities to the commander of Cyber Command.

The conference report also has over $400 million in additional readiness funding for the military services—across all branches: Active, Guard, and Reserve. It fully authorizes the programs for modernizing our nuclear triad of sea, ground, and airborne platforms. There are also specific recommendations on many procurement programs that will help the Department improve management and cope with shortfalls. All of these provisions will ensure that our military personnel have the equipment and training they need to succeed in their mission.

For the various overseas challenges facing the United States, and they are considerable, this conference report provides key funding and authority for two major U.S.-led coalition operations: the mission in Afghanistan and the counter-ISIS coalition in Iraq and Syria. It also includes additional funding for initiatives to expand the U.S. military presence and exercises in Eastern Europe, reassuring allies and countering the threat of Russian hybrid warfare tactics, and authorizes additional military assistance, including lethal assistance for Ukraine. I had the privilege of visiting Ukraine recently and being with the paratroopers of the 172nd Airborne Brigade who are training Ukrainian forces. They are doing a commendable job and it represents a tangible commitment by the United States to support friends across the globe.

The conference report also includes, very notably and very importantly, the Senate provisions codifying the current policy that interrogations of detainees in the custody of any U.S. Government agency or department must comply with the Army Field Manual on Interrogation. These provisions, sponsored by Senator MCCAIN, Senator FEINSTEIN, and I, will ensure that detainee interrogations are conducted using noncoercive techniques that do not involve the threat or use of force, consistent with our values as a nation. I know how important this was, particularly to Chairman MCCAIN and Senator FEINSTEIN. It represents our best values and also from the testimony we have heard over many years, the most effective way to obtain information in circumstances as we have witnessed in the last few years.

All of these provisions are commendable. They are the result of significant effort by Chairman MCCAIN, Chairman THORNBERRY, Ranking Member SMITH, and the staff who worked tirelessly. However, there are provisions that do in fact cause some concern. Let me first talk about the issue of Guantanamo Bay. The report continues the restrictions on the President's authorities relating to the Guantanamo detention facility.

In previous Defense authorization bills, we had made progress in giving the President greater flexibility in streamlining the process of making transfers from Guantanamo to other locations, bringing us closer to the goal of closing Guantanamo. The Guantanamo provisions in this year's conference report, however, are in a sense a step backward. They continue to maintain the prohibitions on the transfer of Guantanamo detainees to the United States and on the construction or modification of a facility in the United States to hold such detainees.

This deprives the President of a key tool for fighting terrorism, the ability to prosecute Guantanamo detainees in Federal court. To make matters more complicated, the conference report proposes additional hurdles on the transfer of Guantanamo detainees overseas, requiring the Secretary of Defense to complete a checklist of certifications for overseas transfers and prohibiting such transfers to certain specified countries altogether.

Further, the conference report does not include a provision from the Senate bill that authorized the temporary transfer of Guantanamo detainees to the United States for medical reasons in the event of life-threatening emergencies. As the Guantanamo detainees get older, there is an increasing risk of a detainee suffering serious harm or death because the military is legally prohibited from bringing that person to the United States to receive necessary medical care.

Both President Bush and President Obama have called for closing Guantanamo Bay. Our military leaders have repeatedly said that Guantanamo harms our national security and serves as a propaganda and recruiting tool for terrorists. This is an issue we have been wrestling with for over a decade, and I regret that we are no closer to resolving it with this conference report.

This conference report also does not contain many of the cost-saving proposals that the Department of Defense requested. For example, the retirement of many aging aircraft and ships is prohibited and a BRAC round was not ever considered. Without such authorities, we in Congress are making it even more difficult for the Department of Defense to acquire and maintain the things they need because we are forcing them to keep what they consider no longer cost- or mission-effective.

Finally, as I have said it many times consistently throughout this process, the one item that I find is most objectionable, and indeed reluctantly forced me to argue against the conference report, is the fact that it shifts $38 billion requested by the President in the base military budget, in the routine base budget—it shifts it to the Overseas Contingency Operations account or OCO.

Essentially, it skirts the BCA. This transfer from base to OCO raises several concerns. First, it violates the consensus that was agreed to when we passed the BCA that both defense discretionary spending and domestic discretionary spending would be treated equally. Now, we find a way to avoid that consensus. In fact, that was one of the premises many of us found persuasive enough to support the BCA, but the concerns that are raised are many.

First, adding funds to OCO does not solve—it actually complicates—the Department of Defense's budgetary problems. Defense budgeting needs to be based on our long-term military strategy, which requires DOD to focus at least 5 years into the future. A 1-year plus-up to OCO does not provide DOD with the certainty and stability it needs when building its 5-year budget. This instability undermines the morale of our troops and their families who want to know their futures are planned for more than 1 year at a time and the confidence of our defense industry partners that we rely on to provide the best technology available to our troops.

Second, the transfer does not provide additional funds for many of the domestic agencies which are also critical to our national security. We cannot defend our homeland without the FBI. In fact, we just heard reports today of FBI activities disrupting a potential smuggling of nuclear material in Eastern European, headed—the suggestion is—toward ISIL or other radical elements. We need the FBI. Yet they remain subject to the Budget Control Act.

We need to fund the Justice Department, other aspects of their activities, the TSA, Customs and Border Protection, and the Coast Guard. These later agencies are funded through the Department of Homeland Security. Without adequate support for the State Department, the danger to our troops increases. In addition, failing to provide BCA cap relief to non-DOD departments and agencies would also shortchange veterans who receive employment services, transition assistance, and housing and homeless support.

Third, moving funding from the base budget to OCO has no impact on reducing the deficit. OCO and emergency funding are outside the budget caps for a reason; they are for the costs of ongoing military operations or to respond to unforeseen events, such as the flooding we are witnessing in South Carolina. To transfer funds for known day-to-day operations into war and emergency funding accounts to skirt the law is not fiscally responsible or honest accounting.

The OCO was designed for the contingencies that were non-routine and would not be recurring. In fact, we have seen OCO funds go up dramatically as our commitments both in Afghanistan and Iraq went up and then go down as you would expect. Suddenly that curve is beginning to shift up and go up, not because of the increased

number of military personnel deployed—in fact, there are fewer military personnel deployed in these areas today—but because we have found a way—at least we think we have found a way—to move around the BCA for defense and defense alone.

Many have argued: Well, that might be true, but this is not the place to talk about this issue. I disagree. This is not a debate about which appropriations account we put the money in; it is a fundamental debate about how we intend to fund the workings of the government today and in the future, all parts of the government, because if we can use this technique for defense, it, frankly and honestly, relieves the pressure to take the constraints off other agencies. It sets the whole table, if you will, for our budget for every Federal agency.

So this is not a narrow issue of appropriations, whether it is the committee on housing and urban development or the committee on interior and environment; this is a fundamental issue. The BCA is a statute, not an appropriations bill, per se. It came to us as an independent statute. We have a responsibility to respond to the challenge it poses to the defense budget and to every other budget.

This is just not a 1-year fix. If this were a bridge that we knew would take us from this year to next year, well, we might do these things in a different way. Unfortunately I think this conference report is going to be replicated in the future, because if we rely on this approach this year, there is huge pressure next year to do the same thing, unless we can resolve the underlying problems of the Budget Control Act.

I believe it is essential for us to do this for the best interests of our country, for the best interests of our military personnel. I don't think by standing up and casting a vote in this light we are disrespecting or not recognizing the men and women who wear the uniform of the United States. In fact, it has not been uncommon over the years that because of issues, this bill has been objected to by both sides.

Indeed, since 2005 my colleagues on the Republican side have cast votes against cloture on the NDAA 10 times and successfully blocked cloture 4 times over such issues as Senate rules and procedures, the repeal of don't ask, don't tell, and in one case gasoline prices. So to argue today that the only reason we should vote for this bill is because it is procedurally not appropriate to discuss this, well, was it procedurally appropriate to use the Defense bill to essentially register anguish about gasoline prices?

This goes to the heart not just of this bill but every bill. Therefore, I don't think it is something we have to shy away from. In fact, I think we have to take it on. If we cannot fix this Budget Control Act straightjacket we are in, it will harm our national security. If we don't have the FBI agents out there trying to disrupt smuggling of uranium and other fissile materials, that hurts us. It hurts our national security. If we don't have the Department of Energy laboratories that are capable of doing research, helping us and working with foreign governments about detection of radioactive material, that hurts our national security. This is about national security, and I think we have to consider it in that light.

So we are here today, and we are dealing with an issue of the authorization act in the context of the continuing resolution because we have not resolved the Budget Control Act. These are all roads coming together: the conference report, the continuing resolution, all of them in the context of trying to respond to the Budget Control Act. I think we should step up and deal with the Budget Control Act.

We have had many months to try to find the answer. We haven't. When we considered this legislation previously in the Senate, it was summer time, and it appeared that there might be a coming together on a bipartisan basis and a thoughtful basis, trying to provide the relief so we wouldn't have to rely on OCO when the conference report arrived, but we are here today and OCO is still staring us right in the face.

I think we have to ensure that we stand and say that is not the way we want to go forward for the defense of our country in the broadest context and for the support of our military personnel.

There is one other issue I do wish to raise, too, because it has been brought up; that is, the suggestion that if this bill does not pass today, then our military will not receive their pay raises and bonuses. The provisions in this bill go into effect January 1, 2016. We still have time. I would hope we would use that time not only to make some changes—technical here and there—but also to deal with the central issue which I hope we all agree is driving everything; that is, fixing the Budget Control Act in a way that we can provide across-the-board support for our Federal agencies, particularly our national security agencies which go beyond simply the Department of Defense.

I think the time is now. This is a moment to deal with the issue, not defer it and hope something happens in the future. We have to resolve the Budget Control Act.

I urge, for that reason as much as anything, that my colleagues would vote against this conference report as an important step in the process and a necessary step, in my view, in the process of resolving the great budget crisis we face in terms of the Budget Control Act.

In fact, one of my concerns is that if we do in fact pass this conference report and it subsequently becomes law or just the simple fact that we pass it, it gives some people the excuse of saying: Well, we have fixed the only problem that we think is of some significant concern, the Department of Defense, so we don't have to do anything else.

Again, we have to fund the FBI, we have to fund Homeland Security, and we have to fund a vigorous State Department. All of those agencies, if we do nothing on BCA, will see sequestration arise, diminish their capacity, and in some way diminish our national security.

With that, I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

Mr. MCCAIN. Mr. President, today, in about half an hour, the Senate will vote on the National Defense Authorization Act for Fiscal Year 2016, and I hope that an overwhelming majority of my colleagues will understand the importance of this legislation in these very turbulent and difficult times.

The Constitution gives the Congress the power and the responsibility to provide for the common defense, raise and support armies, provide and maintain a navy, and make rules for the government and regulation of the land and naval forces. For 53 years, Congress has fulfilled its most important constitutional duties by passing the National Defense Authorization Act.

It is precisely because of this legislation's critical importance to our national security that it is still one of the few bills in Congress that enjoys bipartisan support year after year.

Indeed, this year's NDAA has been supported by Senators on both sides of the aisle. The Senate Committee on Armed Services overwhelmingly approved the NDAA in a 22-to-4 vote back in May. The full Senate followed by passing the NDAA in a partisan vote of 71 to 25.

In recent weeks, some of my Democratic colleagues and the President have threatened to block this legislation because of disagreements about broader spending issues that are totally unrelated to defense and totally unrelated to authorizing. Everything to do with their problems has to do with appropriations spending, not authorization.

The President made it clear that he will ''not fix defense without fixing nondefense spending.'' In this day of multiple crises around the world—as these crises and wars and conflicts and refugees unfold—the President's priority seems to be the funding mechanism, which has nothing to do with the defense authorization.

Henry Kissinger, as well as many of our most respected national security leaders, has called it the most diverse and complex array of crises around the world since the end of World War II, and there are more refugees in the world than at any time since World War II.

The President is threatening to veto this legislation, which contains vital authorities—not just authorities but the ability of our men and women who are serving in uniform to defend this Nation—so he can prove a political point. The President is threatening to veto this bill to defend the Nation in order to prove a political point.

As I mentioned, the threats we confront today are far more serious than they were a year ago and significantly more so than when the Congress passed the Budget Control Act in 2011. That legislation arbitrarily capped defense spending and established the mindless mechanism of sequestration. As a result, with worldwide threats rising, we as a nation are on a course to cut nearly $1 trillion of defense spending over 10 years with no strategic or military rationale whatsoever for doing so.

Every single military and national security leader who has testified before the Committee on Armed Services this year has denounced sequestration and urged its repeal as soon as possible. Indeed, each of our military service chiefs testified that continued defense spending at sequestration levels would put American lives at risk—I repeat: would put American lives at risk.

Unfortunately, the Defense bill does not end sequestration. Believe me, if the Defense bill were capable of that, I would have done all in my power to make it happen. But the simple reality is that this legislation cannot end sequestration and it cannot fix the Budget Control Act.

This legislation does not spend a dollar. It is not an appropriations bill; it is a policy bill. It provides the Department of Defense and our men and women in uniform with the authorities and support they need to defend the Nation.

This legislation fully supports Presidents Obama's request of $612 billion for national defense. Let me repeat that. The legislation gives the President every dollar of budget authority he requested. Yet the President and my colleagues on the other side of the aisle are threatening to oppose this bill because it authorizes—not spends—$38 billion in funding for readiness and training of our troops in the overseas contingency operations, known as the OCO account.

Democrats believe that by placing these funds in the OCO account, the legislation would minimize the harm sequestration would do to our military but fail to do the same for domestic spending programs. This complaint fails to understand a basic fact: The only legislation that can stop sequestration, whether for defense or nondefense, is an appropriations bill. In fact, Republicans and Democrats are engaged right now in negotiations to find a bipartisan budget deal that would provide sequestration relief. I hope they succeed. But the idea that the precise location in the NDAA of certain funds for our troops will have any impact on the substance or outcome of these negotiations is ludicrous.

The choice we faced was between OCO money and no money. When I have asked senior military leaders before the Armed Services Committee which of those options they would choose, they have said they would take the OCO. So do I.

With global threats rising, it simply makes no sense to oppose a defense policy bill—legislation that spends no money but is full of vital authorities that our troops need and need badly—for a reason that has nothing to do with national defense spending, and it certainly makes no sense when the negotiations that matter to fixing sequestration are happening right now. That is where the President and Senate Democrats should be focusing their energy, not on blocking the Defense bill and denying our men and women in uniform the authorities and support they need to defend the Nation. Unfortunately, that has not been the case. In fact, the White House has doubled down and vowed that the President will veto this legislation.

So let's be clear. The President isn't threatening to veto because of the existence of an overseas contingency account, which the Pentagon has been using for years—for years—to fund everything from readiness and training for our troops to Israeli missile defense, all without a word of protest from my colleagues on the other side of the aisle or a veto threat from the President. This veto threat is about one thing and one thing only, and that is one word: politics.

The President wants to take a stand for greater domestic spending, and he wants to use the vital authorities and support the men and women in uniform need to defend the Nation as leverage. At a time of increasing threats to our Nation, this is foolish, misguided, cynical, and dangerous. Vetoing this legislation will not solve the spending debate happening right now in Washington. That is something which can only be done through the appropriations process—not a defense authorization bill, not a defense policy bill. Vetoing the NDAA will not solve sequestration. Vetoing the NDAA will not solve the Budget Control Act. Rather than fixing the Budget Control Act, vetoing the NDAA would repeat its original sin by continuing the disturbing trend of holding our military men and women hostage to the whims of our dysfunctional politics.

So let's be absolutely clear on what a vote against or a veto of this legislation really means. This is what it really means, my friends. If you say no, you will be saying no to urgent steps to address critical shortfalls in fighter aircraft across our military. You will block 12 F–18 Super Hornets for the Navy and 6 F–35Bs for the Marine Corps.

If you say no, you will be saying no to $1 billion in accelerated Navy shipbuilding, including an additional Arleigh Burke-class destroyer.

If you say no, you will be saying no to upgrades to Army combat vehicles deploying to Europe to deter Russian aggression against our allies.

If you say no to this legislation, you will be saying no to $200 million to strengthen our cyber defenses as China, Russia, Iran, and North Korea attack our government and our companies relentlessly and with impunity.

If you say no to the NDAA, you will be saying no to significant steps to improve the quality of life of the men and women serving in the All-Volunteer Force and the needs of our wounded, ill, and injured servicemembers.

If you say no to the NDAA, you will be saying no to over 30 special pays and bonuses that are vital to recruiting and retaining military doctors, nurses, nuclear engineers, and language experts.

If you say no to the NDAA, you will be saying no to greater access to urgent care facilities for military families and steps taken in the bill to make military health care plans more portable.

If you say no to the NDAA, you will be saying no to making it easier for our veterans to get the medicines they need. You will be saying no to the provision in this legislation that would ensure that servicemembers are able to get the same medicines for pain and other conditions when they transition from the Department of Defense to the Veterans' Administration.

If you say no to the NDAA, you will be saying no to new steps to improve sexual assault prevention and response. You will be saying no to additional tools to enhance support of victims of sexual assault, including needed protections to end retaliation against those who report sex-related offenses or who intervene to support victims. You will be saying no to provisions that strengthen and protect the authority and independence of the special victims' counsel for sexual abuse.

If you say no to the NDAA, you will be saying no to some of the most significant reforms to the Department of Defense in a generation. You will be saying no to the modernization of an outdated, 70-year-old military retirement system—a system that excludes 83 percent of all those who serve in the military from receiving any retirement assets whatsoever, including veterans of the war in Iraq and Afghanistan, some of whom have served two, three, four tours of duty but left the military with nothing because they retired before reaching 20 years of service.

If you say no to the NDAA, you will be saying no to a modern military retirement system that would extend better, more flexible retirement benefits to more than 80 percent of servicemembers; a system that would give servicemembers the choice to use a portion of their retirement benefits when they leave the military to help them transition to a new career, start a business, buy a home, or send their kids to college; a new system that not only improves life for our servicemembers and future retirees but does so while also saving the taxpayers $12 billion once it is fully implemented.

If you say no to the NDAA, you will also be saying no to the most sweeping reforms to our defense acquisition system in 30 years. You will be saying no to reforms that are essential to preserving our military technological superiority as our adversaries develop and field more advanced weapons. You will be saying no to reforms that would hold Pentagon leaders more accountable for the decisions they make. You will be saying no to reforms that would improve the relationship between the Pentagon and our Nation's innovators, helping to ensure that our military can gain access to the most cutting-edge technologies.

If you say no to the NDAA, you will be saying no to significant reforms to defense management. A ''no'' vote is a vote to stand in the way of important steps to reduce the amount of money the Department of Defense spends on bureaucracy and overhead, even as it cuts Army soldiers, Air Force fighter aircraft, and Navy ships. A ''no'' vote is also a vote to continue a backwards personnel system that judges our Pentagon's civilians not based on their talent but their time served.

If you say no to the NDAA, you will squander a historic opportunity to ban torture once and for all, to achieve a reform that many of my colleagues on both sides of the aisle—especially the Senator from California, Mrs. FEINSTEIN—have sought for a decade or more: making the Army Field Manual the uniform interrogation standard for the entire U.S. Government. Voting no will squander an opportunity to stand up for the values that Americans have embraced for generations, while still enabling our interrogators to extract critical intelligence from our enemies. By vetoing legislation that bans torture forever, the President would be vetoing his own legacy. Worst of all, if you say no to the NDAA, you are saying no to vital authorities in support that our Armed Forces need to defend our Nation as we confront the most diverse and complex array of crises in over 70 years.

As we speak, there are nearly 10,000 American troops in Afghanistan helping a new Afghan Government to secure the country and defeat our common terrorist enemies. But since President Obama hailed the end of combat operations in Afghanistan last year, ISIL has arrived on the battlefield and Taliban fighters have launched a major offensive to take territory across the country.

So what message would it send if the President and some of my colleagues say no to $3.8 billion for the Afghan Security Forces to fight back against terrorists that wish to destroy the progress achieved at so costly a sacrifice?

In the Asia-Pacific region, China's military buildup continues with a focus on countering and thwarting U.S. power projection. At the same time, China is asserting vast territorial claims in the East and South China Seas. Most recently, China has reclaimed nearly 3,000 acres of land in the South China Sea and is rapidly militarizing these features, building at least three airstrips to support military aircraft. With the addition of surface-to-air missiles and radars, these new land features could enable China to declare and enforce an air defense identification zone in the South China Sea and to hold that vital region at greater risk. Our allies and partners throughout the region are alarmed by China's behavior and are looking to the United States for leadership.

So what message would it send if the President and some of my colleagues say no to $50 million to assist and train our allies in the region to increase maritime security in the maritime domain awareness in the South China Sea?

Last year, Vladimir Putin's invasion of Ukraine and annexation of Crimea forced us to recognize that we are confronting a challenge that many had assumed was resigned to the history books—a strong, militarily-capable Russia that is hostile to our interests and our values and seeks to challenge the international order that American leaders of both parties have sought to maintain since the end of World War II. Russia continues to destabilize Ukraine and menace our NATO allies in Europe with aggressive military behavior. And now, in a profound echo of the Cold War, Mr. Putin has deployed troops and tanks and combat aircraft to Syria, and they are conducting operations as we speak to shore up the Assad regime—the Assad regime—which has slaughtered 240,000 of its citizens and driven millions into refugee status. And who are Mr. Putin's forces bombing most of all? ISIL? No. Moderate opposition groups backed, trained, and equipped by the United States of America.

So what message would it send if the President and some of my colleagues say no to $300 million in security assistance for Ukraine to defend its sovereign territory, say no to $400 million in lethality upgrades to U.S. Army combat vehicles deploying to Europe to deter Russian aggression, and say no to $800 million for the President's own European Reassurance Initiative, which seeks to reassure allies of America's commitment to their security and the integrity of the NATO Alliance?

In the Middle East, a terrorist army with tens of thousands of fighters has taken over a vast swath of territory and declared an Islamic State in the heart of one of the most strategically important parts of the world. Yet more than a year after the President declared that we would degrade and destroy ISIL, it appears that nothing we are currently doing is proving sufficient to achieve that strategic objective. The United States and our partners do not have the initiative. ISIL does, and it is capitalizing on our inadequate policy to maintain and enhance our initiative, as they have for the past 4 years. Indeed, the situation on the ground is now taking yet another dramatic turn for the worse, as several recent events have made clear.

So what message would it send if the President and some of my colleagues say no to $1.1 billion of security assistance and cooperation for our allies in the region to help us fight ISIL? What message would it send to our ally Israel to say no to hundreds of millions of dollars of vital support for our common efforts in missile defense and countering terrorist tunnels? These capabilities are more important than ever for Israel and the United States in the wake of the President's nuclear agreement with Iran, and this legislation fully authorizes those programs. Saying no to the NDAA means saying no to this vital security cooperation with Israel.

For 4 years, Bashar al-Assad has waged war on the Syrian people. The United States has stood idly by as well over 230,000 have been killed, 1 million injured, 8 million displaced, and 4 million forced to seek refuge abroad. The Syrian conflict has now created the largest refugee crisis in Europe since World War II. Now Russia has stepped in to prop up the murderous regime and kill more Syrians. With Syria descending deeper into chaos, and the world more unstable than ever, what message would it send if the Commander in Chief and some of my colleagues see this as a good time to say no to the National Defense Authorization Act?

This is the same conclusion that some of the major military service organizations have also reached, and they have written open letters to the President urging him not to veto the NDAA. Their message should be heeded by all of my colleagues as we prepare to cast our votes. The Military Officers Association of America wrote:

> [T]he fact is that we are still a nation at war, and this legislation is vital to fulfilling wartime requirements. With multiple contentious issues remaining for Congress to tackle this year, and very little legislative time to complete those crucial actions, this is not the time to add the already extremely daunting burden of legislative challenges by vetoing the defense authorization bill.

The Reserve Officers Association wrote:

> [The NDAA] contains crucial provisions for the military, nation's security, and the welfare of those who serve. [The Reserve Officers Association] has a membership of 50,000 former and currently serving officers and noncommissioned officers [and] represents all the uniformed services of the United States who would be favorably affected by your signing this bill into law.

I also want to read from a recent Washington Post editorial:

> American Presidents rarely veto national defense authorization bills, since they are, well, vital to national security. . . . Refusing to sign this bill would make history, but not in a good way. Mr. Obama should let it become law and seek other sources of leverage in pursuing his legitimate goals for domestic sequestration relief.

Time and again, President Obama has failed to do the right thing when it

could matter most—in Afghanistan, in the Pacific, in Ukraine, in Iraq, and in Syria. Vetoing the NDAA would be yet another of these failures, and it would be reminiscent of a bygone day, when the fecklessness of those days were so accurately described by Winston Churchill. On the floor of the House of Commons, he said:

> When the situation was manageable it was neglected, and now that it is thoroughly out of hand we apply too late the remedies which then might have effected a cure. There is nothing new in the story. It is as old as the sibylline books. It falls into that long, dismal catalogue of the fruitlessness of experience and the confirmed unteachability of mankind. Want of foresight, unwillingness to act when action would be simple and effective, lack of clear thinking, confusion of counsel until the emergency comes, until self-preservation strikes its jarring gong—these are the features which constitute the endless repetition of history.

My colleagues, for 53 years Congress has passed a National Defense Authorization Act, and at perhaps no time in the past half century has this legislation been more important. Everywhere we look around the world there are reminders of exactly why we need this National Defense Authorization Act. I understand the deeply held beliefs of many of my colleagues about the spending issues that have divided the Congress for the last 4 years. But this is not a spending bill. It is a policy bill. It is a reform bill. It is a bill that accomplishes what the Constitution demands of us and what the American people expect of us. It is a bill that gives our men and women in uniform, many of whom are still in harm's way around the world today, the vital authorities and support they need to defend our Nation. And it is a bill that deserves the support of the Senate.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, the bill before us is not fiscally responsible. Our troops deserve real funding, not budget gimmickry. This bill does not do the job. My Republican friends like to talk about the deficit and the debt and the need to get our fiscal house in order, but their actions speak louder than their words. Now they are supporting legislation that increases deficit spending and increases the burden on our children and grandchildren. As a result, this bill violates the budget law.

Mr. President, I raise a point of order that the pending measure violates section 3101 of S. Con. Res. 11, the concurrent resolution on the budget for fiscal year 2016.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974 and the waiver provisions of applicable budget resolutions, I move to waive all applicable sections of that act and applicable budget resolutions for purposes of the conference report to accompany H.R. 1735, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

The question is on agreeing to the motion to waive.

The yeas and nays have been ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM), the Senator from Kansas (Mr. ROBERTS), and the Senator from Florida (Mr. RUBIO).

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

The yeas and nays resulted—yeas 71, nays 26, as follows:

[Rollcall Vote No. 276 Leg.]

YEAS—71

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

NAYS—26

Baldwin	Gillibrand	Reed
Booker	Hirono	Reid
Boxer	Leahy	Sanders
Brown	Manchin	Schatz
Cardin	Markey	Schumer
Carper	Merkley	Warren
Coons	Mikulski	Whitehouse
Durbin	Nelson	Wyden
Franken	Paul	

NOT VOTING—3

Graham	Roberts	Rubio

The PRESIDING OFFICER. On this vote, the yeas are 71, the nays are 26.

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

The question occurs on adoption of the conference report to accompany H.R. 1735.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM), the Senator from Kansas (Mr. ROBERTS), and the Senator from Florida (Mr. RUBIO).

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

The result was announced—yeas 70, nays 27, as follows:

[Rollcall Vote No. 277 Leg.]

YEAS—70

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

NAYS—27

Baldwin	Franken	Paul
Booker	Gillibrand	Reed
Boxer	Hirono	Reid
Brown	Leahy	Sanders
Cardin	Manchin	Schatz
Carper	Markey	Schumer
Coons	Merkley	Warren
Cruz	Mikulski	Whitehouse
Durbin	Nelson	Wyden

NOT VOTING—3

Graham	Roberts	Rubio

The conference report was agreed to.

The PRESIDING OFFICER. The majority leader.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—MOTION TO PROCEED

Mr. MCCONNELL. Mr. President, I move to proceed to Calendar No. 96, H.R. 2028.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

> Motion to proceed to Calendar No. 96, H.R. 2028, a bill making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

The Senator from Utah.

TRANS-PACIFIC PARTNERSHIP

Mr. HATCH. Mr. President, I rise to talk about the recent developments in U.S. trade policy and their implications for the future. Over this past weekend, officials from the Obama administration, along with 11 other countries, reached what they believed will be the final agreement on the terms of the Trans-Pacific Partnership or TPP.

If enacted, the TPP would be the largest trade agreement in history, encompassing approximately and roughly 40 percent of the world economy and setting standards for one of the most dynamic parts of the world, the Asia-Pacific.

I will repeat what I have said many times before. I believe a strong TPP agreement is essential for advancing our Nation's economic and strategic interests in the Asia-Pacific region. However, while I have often touted the potential benefits of the TPP, I have also been very clear that I will not support just any TPP agreement. The United States has only one chance to negotiate, consider, and implement the TPP. We have to get it right. Under our system of government, both the executive and legislative branches play essential roles in developing and implementing our trade policy.

While the administration has the power to reach agreements with other countries, no such agreement can go into force without Congress's approval. Congress is not just a rubberstamp in this process. We have an obligation to evaluate every trade agreement and determine if it advances our Nation's interests and serves the needs of our constituents. Toward that end, as I continue to review the deal that was struck in Atlanta, three important considerations will determine whether I can support this agreement.

First, the deal must be balanced to meet the U.S. negotiating objectives established under our trade promotion authority or TPA statute which Congress passed earlier this year with strong bipartisan majorities in both the House and the Senate. Second, I must have confidence that our trading partners will actually live up to the commitments they have made under the agreement by implementing the terms and obligations included in the deal. Third, the agreement must be subjected to a thorough and rigorous congressional review, including in-depth consultation with the administration.

Before I talk about these factors in more detail, I want to acknowledge the many years of hard work officials in the administration, particularly those at the office of the U.S. Trade Representative, have put in to get the agreement this far. I particularly want to acknowledge the hard work of the lead negotiators at USTR who have sacrificed for years to bring this agreement to conclusion. I also want to acknowledge that over time they made a great deal of progress on a variety of fronts, but now that the administration says it has reached an agreement, it is time for Congress to intensify its review of TPP.

The primary standards by which I—and I would hope all of my colleagues—will judge this trade agreement are set forth clearly in our TPA statute. As one of the original authors of the current TPA law, I worked hard to ensure that it did not just represent my priorities for trade agreements but those of a bipartisan majority in both the House and the Senate.

The congressional negotiating objectives that we included in the statute spell out in detail what must be included in a trade agreement in order for it to get Congress's approval. The negotiating objectives we included in our TPA law are not just pro forma, they are not suggestions or mere statements of Members' preferences. They represent the view of the bipartisan majority in Congress as to the rights and obligations a trade agreement must contain when it is finalized and submitted for our consideration.

I have to say no one in Congress worked harder and longer than I did to get that TPA bill across the finish line. I was joined by many of my colleagues on both sides of the aisle who put in significant time and effort as we drafted the bill, got it through the committee, and passed it on the floor. In fact, if you will recall, in the Senate we ended up having to pass it twice.

Since the day we passed the bill, I, as well as many of my colleagues in both the House and Senate, have been urging officials and the administration to do all they can to conclude a TPP agreement that a majority in Congress can support. Unfortunately, when we look at some of the outcomes of the final round of negotiations, it is not clear if the administration achieved that goal.

For example, it is not immediately apparent whether the agreement contains administrable and enforceable provisions to protect intellectual property rights similar to those found in U.S. law. As you will recall, this was a key negotiating objective that we included in our TPA law and a necessary component if we want our trade agreements to advance our Nation's interests in the 21st century economy.

I have serious concerns as to whether the administration did enough to accomplish this objective. This is particularly true with the provisions that govern data exclusivity for biologics. As you know, biologics are formulas that are on the cutting edge of medicine and have transformed major elements of the health care landscape, thanks in large part to the effort and investment of American companies. I might add, it is one of the principal industries where we might not only be able to find treatments but also cures. It is one of the three or four things that I think can bring down health care costs immeasurably.

I am not one to argue that parties to a negotiation should refuse to compromise. In fact, I have come to the floor many times over the years and espoused, sometimes at great lengths, the merits of being able to find a compromise. But—and this is an important point—a good compromise usually results in something of greater overall value for all the parties involved, and, at least according to the information now available, it is unclear whether this administration achieved that kind of an outcome for American innovators.

Aside from biologics, there are other elements that, according to initial reports, may have fallen short of Congress's negotiating standards. For example, there are issues with some of the market-access provisions on agriculture, the inclusion of product—and sector-specific carveouts from some of the obligations, as well as some potential of overreaching on labor commitments. While we can't make final determinations on any of these issues without seeing the final text of the agreement, initial indications are that these items could be problematic when the agreement is submitted to Congress for approval.

In the end, Congress will need to take a good look at the entire agreement and judge whether the agreement satisfies the standards we have put forward in our TPA law.

Beyond the negotiating objectives, we need to have confidence that key elements of a TPP agreement will be implemented and respected by our trading partners. There are a number of important elements to consider when we talk about enforcement and implementation but, for now, I will speak once again about the intellectual property rights.

For too long—indeed, for decades now—American innovators and investors haven't been able to take full advantage of our trade agreements because, quite simply, many of our trading partners either refuse to enforce intellectual property obligations or fail to implement them all together. All too often, this administration has looked the other way as other countries steal U.S. innovation and intellectual property.

If countries want to trade with the United States, we should demand that they respect and enforce the intellectual property rights of American businesses and individuals. That means including strong provisions protecting intellectual property in our trade agreements and a requirement that intellectual property rights commitments be implemented before allowing the agreement to enter into force for our trading partners.

Unfortunately, implementation of these types of commitments is one area where this administration has come up short in the past. Before Congress can approve an agreement as vast as the TPP, we need to be sure this has changed. We need to have detailed assurances that our trading partners will live up to all of their commitments and a clear roadmap as to how the administration intends to hold them accountable.

Finally, I expect that pursuant to both the letter and the spirit of TPA, the administration will communicate and work closely with Congress over the coming weeks and months. In the short term, that means deep and meaningful consultations before the President signs the agreement.

Under our TPA law, the President must inform Congress of his intent to sign an agreement at least 90 days before doing so. This period is an essential part of congressional consideration of the deal. Congress reserved this time in the statute to ensure that we would have ample opportunity to review the content of a trade agreement before it is signed by the President.

In order for that review to take place, Congress must have access to the full text of the agreement, including annexes and any side agreements, before the President provides his 90-day notice. This is a vital element of TPA. The law was designed specifically to give Congress all the necessary tools to conduct an exhaustive evaluation of any and all trade agreements and to ensure that the administration is fully accountable both to Congress and to the public.

There are a number of provisions and timelines in the law that help us achieve these goals. I will not list them all on the floor today. Instead, I will just say that I expect the full cooperation of the administration in meeting all of these mandates.

The American people demand no less. There are no shortcuts. Let's be clear. Our Nation could clearly benefit from a strong TPP agreement, and I hope that in the end that is what we get—and these other nations can too. In the end, I hope this agreement meets all of these challenges that we have thrown out.

Unfortunately, I have real reservations as to whether the agreement reached over the past weekend meets the high standards set by Congress. I will not make a definitive statement on the overall merits of the agreement until I have a chance to review it in its entirety. For now, I will just say that I am worried. I am worried that we didn't get as good a deal as we could have. I am worried that the administration didn't achieve a balanced outcome covering the congressional negotiating objectives set out in TPA. And, ultimately, I am worried there won't be enough support in Congress for this agreement and that our country will end up missing out on important opportunities.

I hope I am wrong. I will continually scrutinize this agreement as details emerge. Before I can support the TPP deal struck in Atlanta, I must be convinced that the TPP is a balanced agreement that complies with the TPA law and that it has clear, implementable rules that our trading partners will follow.

The TPP is a once-in-a-lifetime opportunity to define high-standard rules for the Asia-Pacific and to gain real access to overseas markets that our businesses and our workers need. I intend to do all I can to ensure that the agreement meets these goals.

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

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

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. BLUNT. Mr. President, I am pleased to come to the floor today to express my support for the final conference report on the National Defense Authorization Act, what we need to do as a Congress to authorize the work that can be done to defend the country. I urge the President to sign this bill.

For 54 straight years the Senate has done its job in authorizing the things that need to be done to defend the country. We have passed the bill. This fulfills part of that responsibility to defend the country. It is the first responsibility of the Federal Government to defend the country. This is something that can't be better done somewhere else. It is something that has to be done by us, and two things have to happen for that to be done. We have to authorize the spending in the way this bill does and then we have to appropriate the money once that spending has been authorized.

The majority voted several weeks ago to debate the appropriating bill, but we couldn't get even six Democrats to join us to debate that bill. Well, now this bill has passed. So maybe the next move is to pass the bill that funds what has just been authorized. It has passed the House, it has passed the Senate, and the Commander in Chief of the United States is saying he would veto the National Defense Authorization Act?

The President apparently believes the defense of the country is a legitimate bargaining chip in how we spend all other money. The President somehow has latched onto this idea that he proposed a few years ago that all spending be equal, that you take all of the discretionary spending in the country and half of that would be for defense and half of that would be for everything else that is discretionary—an increasingly small part of the budget, because mandatory spending is what continues to grow. The discretionary spending, the spending that people think about when they think about the Federal Government, gets smaller every year.

But even with that challenge in front of us, the President apparently has the position that no matter how dangerous the world is, no matter what is happening in Ukraine or no matter what is happening in Crimea, no matter what is happening in Syria, no matter what is happening in response to the Iranian agreement, you have to have more money for everything else if you are going to have more money for defense. Somehow more money for the EPA and more money for the IRS are equal to the responsibility that the Federal Government has to defend the country.

We saw a little of that, again, just a few weeks ago when the appropriators brought the Defense appropriations bill to the floor with a vote of 23 to 7. That means many Democrats and many Republicans voted for that bill, but when we got it to the floor, we couldn't get the number it took to bring it up.

This bill, the authorizing bill, just passed the Senate with 70 votes. It passed the House with 270 votes. This bill fully supports the number the President said we needed to defend the country. This is like not taking yes for an answer. When the President says this is how much money we need to defend the country, the Congress appropriates the money the President says we need to defend the country, and then the President says: Well, but we need a lot of money for a lot of other things too, and I am only going to be for what I was for—this is the President's number—the amount of money I was for to defend the country if I get the amount of money I want to do everything else.

That is not a very good formula for either democracy or making the system work. This has the base funding for the Department of Defense. It has the defense funding and the national security funding for the Department of Energy. It has money involved for the overseas contingency fund that was created for when things are happening outside of the country that we didn't anticipate. And surely that is the case.

The President was just saying 3 years ago that the Russians weren't a problem. That was a Cold War idea that the Russians could be a problem. He was saying 3 years or 4 years ago that Assad must go.

Clearly, things are not working out as we thought. So it is probably time to use the overseas contingency fund, as this does. This provides money for the intelligence-related programs. I am on the Senate committee that the CIA, the Director of National Intelligence, and others report to. They are publicly not at all shy about saying that more things are coming at the country from more different directions with more potential danger than ever before and so they need to be funded. The activities have stressed those agencies in a lot of ways, but another way you can stress them is not to let them know whether they are going to have the money necessary to do their job.

Our allies are constantly confused by the lack of resolve on our part. In fact, when you are looking at this from some other country and you say that the President got the amount of money he wanted in a defense bill that met the needs that the President proposed, but he doesn't want to sign the authorization bill now because he is not happy with all the other spending, that is a pretty confusing message.

It is like the confusing message when the President draws a redline in Syria but it doesn't mean anything. But when you don't enforce the redline, then not just Assad is emboldened but all of our adversaries are determined at that point that there may be new ways

to test the United States and its allies they hadn't thought of before. So, before you know it, the Russians are in Crimea, the Russians are in Ukraine, and now the Russians are in Syria. What we are watching unfold in Syria—and I would want to emphasize ''watching unfold'' as if we were spectators in an area of the world that since World War II the United States of America has done what was necessary to see that there wasn't a Russian presence there—is clearly the result of a strategy that is confusing, but it is also pretty darn confusing when the President says he is going to veto the Defense authorization bill.

We see China moving in the South China Sea in ways that we wouldn't have anticipated, taking a 5-acre island and turning it into a 3,000-acre military base.

We see Iran spreading its bad influence with the new resources that it now has.

When the United States leaves a leadership vacuum in the world today, bad things rush to fill that vacuum. And when that happens—when there is less U.S. leadership, when there is less U.S. presence, when there is less positive U.S. encouragement in the world—that almost always produces the wrong kinds of results, and it almost always produces hasty decisions that cost America more in lives and international respect than we would have had otherwise.

The President can take a positive step here by just saying: OK. I am going to sign this bill because 70 Senators and 270 House Members voted for this bill. If the President wants to have a fight, there is still a fight to be had. We shouldn't be having a fight about authorizing the money that would then be appropriated, but there is still a fight to be had because, remember, this bill doesn't spend one dime. It just creates the authorization to spend money if that money is appropriated.

This is a good bill. It is a responsible bill. It eliminates waste and unnecessary spending. It trims down bloated headquarters and administrative overhead at the highest levels of the military so that more money goes to the places where the fight is and more money goes to the families and the troops that defend us. It contains the most sweeping defense acquisition reforms in a generation. It helps sustain the quality of life for the people who serve and their families.

By the way, yesterday I introduced a bill along with Senator GILLIBRAND—a bill that focuses on family stability. When we were doing that, I was able to quote the recently retired Chief of Staff of the Army, General Odierno, who said the strength of the military is in the families of the military.

This bill does things that move in the right direction. It authorizes a pay raise for those people serving below the grade of colonel. It requires the Department of Defense and the Veterans' Administration to establish a joint uniform formulary to ensure our troops have timely access to the medicines they need.

The bill authorizes commonsense reforms in a 70-year-old, outdated retirement system. Currently, 83 percent of the people who serve in the military don't benefit from the retirement system. If this bill would pass, servicemembers exiting the military have more choices, resulting in about 80 percent of the people who leave the military getting a retirement benefit instead of 80 percent not getting a retirement benefit.

The bill keeps in place restrictions that bring detainees to Guantanamo and keep them there. It prohibits the transfer of Guantanamo detainees to places such as Yemen, Libya, Syria and Somalia. Six and a half years after taking office, the President has never produced a plan to close Guantanamo. The Congress and the chairman of the Senate Committee on Armed Services are still waiting to hear what his plan might be. As terrorism spreads across the globe, we also don't appear to have a plan to do what needs to be done with the law of war detainees that are brought under our control and the control of our allies around the country.

The challenges faced by the intelligence community are unlike any past challenges we have seen—cyber security, maybe it is more cyber insecurity than cyber security—from defending the critical infrastructure of the country to too much information on too many people in too many places. Previously, people who wanted to get our information had to be pretty close and were likely to be detectable. Now our adversaries can be in the middle of the desert, somewhere in Syria or anywhere around the world, using satellite technology to hack into us—as it turned out recently our U.S. Government personnel records. One has to hope the military, the dot-mil, is more secure than the dot-gov, but that doesn't happen if we don't provide the money.

There are a number of priorities in my State that are reflected in this. We have a great training base at St. Joseph, MO, where C–130 aircraft pilots from all over our country and from 16 of our allied countries trained last year. This bill would provide the aircraft upgrades for that C–130 training.

It provides the necessary resources for geospatial intelligence activities in the country.

The bill includes military construction funding for a new consolidated nuclear stealth and deterrence facility at Whiteman Air Force Base. Missouri is proud to have Whiteman Air Force Base as the home of the B–2 bomber, the stealth bomber system, where dedicated airmen stand by at a moment's notice to let our allies know we can reach anywhere, anytime from that base, and they are unlikely to know we are there until we get there.

Finally, this bill includes critical funding to keep the Army ready, equipped, and trained. At Fort Leonard Wood the Army trains approximately 80,000 soldiers every year. While I was disappointed with the announced reductions at Fort Leonard Wood, which are scheduled to occur in 2017, the number of uniformed positions at that installation will still be higher than they were in 2001. The Army's decision to minimize reductions at Fort Leonard Wood was a decision that I think anybody who understands the Fort would agree with.

In summary, I want to say to the President of the United States that this bill provides for our common defense. That is his No. 1 responsibility as Commander in Chief. Blocking this bill will keep us less safe and less secure. So Mr. President, sign this bill.

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. LANKFORD. 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. LANKFORD. Mr. President, it is not uncommon for me when I am at home in Oklahoma to have a mom approach me at a townhall meeting or in conversations or even at a store or restaurant. What she will want to talk to me about is very interesting. Almost always the moms who approach me lately want to talk to me about national security. They want to talk to me about the fear they have that the world is spinning out of control, and they are very concerned about their kids. They are concerned about terrorism coming to the United States. With a lot of moms in Oklahoma, there is a sense of a loss of trust that this is a safe world and a safe place.

I can't say that is isolated. As I have talked to other Members in this body, I seem to find the same theme coming up over and over again. As I talk to people at home, they want to know: Is the American government performing its primary responsibility of maintaining security and protecting American citizens around the world?

I would love to be able to tell them yes, but quite frankly this has become a very chaotic world, and the challenges we face need clear messaging about what we plan to do and our intent to actually follow up on that plan. We need to have a national policy plan for defense, and then we need to follow through on that.

That seems straightforward and simple. Well, the national defense authorization is one of those areas where Congress and the President have for decades agreed on a national policy for defense. They have laid out that perspective, and then it is the President's responsibility as Commander in Chief to fulfill. That is the primary responsibility of the U.S. Government. The

challenge is, our world is in utter turmoil and that primary responsibility is not being fulfilled.

Passage today of the National Defense Authorization Act by 70 to 27—which is a rare vote in the Senate, to have that much bipartisan agreement on something—is a significant next step. It has passed the House already, it has now passed the Senate with a veto-proof majority, and it is headed to the President's desk, and he has threatened a veto, of all things, for a national plan for defense.

There is a sentiment, an emotion from Americans: Please get a clear national policy. We feel like the world is on fire, and somebody needs to provide a clear path. That is what this is, and I am astounded by the conversation about a possible veto threat from the President of the United States, even when it passes the Senate by a veto-proof majority.

Where are we and what is really going on right now? Let's take a look at the world and what is happening in real time. The Middle East is absolutely rocked to its core with violence, and there is this perception that the United States is disconnected from it. I would say that is untrue. We are just not providing clarity in the plan.

At a time when we have men and women in harm's way across the entire Middle East, I am astounded that the President is talking about a veto, which will provide even more instability. Let me give an example. When I talk about men and women in harm's way, there are many Americans who don't hear about the ongoing battle happening now in Iraq and Syria and how our sons and daughters are already very engaged in what is happening there. There is this belief—I believe fostered by the President—that we are really not there because we never talk about it.

So let's talk about yesterday. This is yesterday over Iraq and Syria and what happened. Near Abu Kamal, there were three strikes from the Americans on two separate ISIL crude oil collection points. That was in Syria yesterday. In Iraq, one strike destroyed two ISIL rocket rails. Near Kirkuk, two strikes struck two separate ISIL tactical units and destroyed two ISIL heavy machine guns and an ISIL fighting position. Near Kisik, three strikes suppressed two ISIL rocket positions, an ISIL mortar position, and an ISIL sniper position. Near Makhmur, one strike suppressed an ISIL heavy machine gun position. Near Mosul, three strikes struck an ISIL tactical unit and destroyed three ISIL heavy machine guns and three ISIL fighting positions and suppressed an ISIL rocket position and an ISIL mortar position. Near Ramadi, five strikes struck four separate ISIL tactical units and destroyed three ISIL fighting positions, three ISIL weapons caches, two ISIL buildings, an ISIL bunker, and denied ISIL access to terrain they were pursuing. Near Sinjar, one strike struck an ISIL tactical unit and destroyed an ISIL heavy machine gun and two ISIL fighting positions. Near Sultan Abdallah, one strike suppressed an ISIL rocket position. Near Tal Afar, two strikes destroyed an ISIL fighting position, an ISIL trench, and an ISIL berm, and suppressed an ISIL mortar position. Near Tikrit, one strike destroyed four ISIL obstacles. That was yesterday.

Americans have this belief that we are disconnected. We are a nation that is engaged, but the challenge is that there is no clear plan, there is no end game that is being laid out. In a moment when we have this many strikes that are happening in Syria and in Iraq—and I can go on and on about what is happening with our Special Forces in Afghanistan and across the rest of the region, as I will describe in a moment, but at this moment, with this going on, the President is going to veto a national defense authorization with this kind of bipartisan support, when the whole Nation is saying: Give us a plan because we feel insecure.

Currently, we are trying and failing to train and equip moderate opposition forces against ISIL in Syria. Currently, we are trying to give Kurds all the equipment they need to hold the line against ISIL. There are millions of displaced people who are fleeing across Europe, who are trying to find some place of respite.

In Yemen, we are supporting the Saudi-led coalition as the Iranians are causing a coup to become a reality in Yemen by the Houthi rebels.

In Libya, there is still an unbelievable vacuum left by the incomplete campaign, which resulted in ISIS getting a foothold in Libya and a bloody civil war in a very divided Libya. They have not been able to form a central government in several years now.

Egypt is facing a growing terrorist threat in Sinai. There are all kinds of tit-for-tat violence happening right now in Israel between the Palestinians and Israelis.

In Africa, we are still hunting Joseph Kony—a despicable madman—but with no success. AFRICOM is also trying to assist forces working to kick al-Shabaab out of Somalia. Bloody sectarian violence is breaking out in the Central African Republic. South Sudan has an extremely fragile peace agreement. Boko Haram continues to rapidly grow in West Africa.

In Mexico and other parts of Latin America, drug thugs are running rampant, and they are pushing drugs into the United States in record amounts, destabilizing many of our cities.

In Afghanistan, a new offensive by the Taliban threatens to roll back the progress we have made.

DNI Clapper testified that the world is still facing an emerging and rapidly growing cyber threat. It is not just a cyber threat to the American Government, it is a threat to every American citizen, as many American citizens have personally experienced in recent days.

Let's look to the future and some of the plans that are ongoing.

Iran. We heard from Secretary Kerry and this administration that a nuclear deal with Iran would lead to a more peaceful Middle East. Since the agreement was announced, we have seen Iran continue to arm the Houthi rebels in Yemen, continue to support Hezbollah and their expansion, and continue to aggressively prop up the Syrian dictator Bashar al-Assad. Some of us have stated quite blatantly our suspicion that this deal would make the region less stable. Indeed, in just 5 years Iran could begin importing large amounts of conventional weapons under this deal. So an Iran that is already supporting large amounts of terrorism will only become better equipped in the days to come.

China. They had a state visit here recently with lots of broad promises about cooperation. Meanwhile, we know that much of the cyber threat emanates from China. They are building islands in disputed waters—airfields capable of hosting military assets there. They are beginning to build a world-class navy that could threaten our closest allies in the region. China continues to be one of the world's leaders in human rights violations.

Russia. We have heard several of our top military commanders say there is a long list of threats, but the threat they are most concerned about is a growing Russia. Putin walked into Crimea, and the world watched. He continues to threaten eastern Ukraine, and the world watches. He is now expanding Russian adventures into the Middle East, supporting Iranian-backed Bashar al-Assad in Syria, and attacking the moderate opposition forces attempting to defend their own families. This is not a new vanguard against terrorism; this is an expansion of the ''Russian Bear.''

So what are we doing about it? We are trying to actually put out a clear plan. Where are we going in national defense? What are we going to do to stop terrorism and the expansion of terrorists around the world? Instead of the White House cooperating with us, they are threatening to veto the NDAA. It is unbelievable. It is astounding that the White House is spending more time trying to make a deal with Iran than they are trying to actually support our own military. What does this do? What does this agreement really accomplish?

For those who aren't familiar with the national defense authorization, let me share a few things that are in this national defense authorization that the President is now saying he is going to veto.

Here is one: personal carry of firearms. Post commanders are empowered to permit a member of the Armed Forces to carry appropriate firearms on our posts or bases. After the attack that happened in Chattanooga, this is something the American people have called out for. It is included in this bill, to allow it.

It provides for stronger cyber operations capabilities and looks to safeguard our technological superiority.

It ensures that military intelligence analysis remains a priority at the national level.

The NDAA extends vital authorities for our forces in Afghanistan as we try to deal with what is happening on the ground there. It authorizes the Iran military power report for 10 additional years, reflecting Congress's view that Iran's illicit pursuit of a nuclear weapons capability and its malign military activities constitute a grave threat to regional stability and U.S. national security interests. The NDAA reinforces the mission against the Islamic State of Iraq and the Levant, ISIL.

Congress authorizes through this the European Reassurance Initiative to address Russia's employment of conventional and unconventional warfare methods to counter U.S. and Western interests, whether it be in the Ukraine or across the area—bicameral, bipartisan efforts to provide assistance and sustainment for the military forces in Ukraine.

The NDAA allocates $30 million for DOD-unique capabilities to address the threatening levels of violence, instability, illicit trafficking of drugs, and transnational organized crime in Central America.

Dealing with the Pacific region, this conference remains concerned about America's strategy in the Indo-Asia-Pacific region, and the NDAA requires the President to make a clear strategy for this ''pivot to Asia.''

The Defense Department has also placed greater emphasis—under this agreement, the NDAA—on security cooperation with all parts of the world to make sure we have a consistent strategy.

If we want to talk about individual members of the military, this NDAA changes how retirement is done. Now, 83 percent of the individuals who serve in our military don't receive any kind of retirement at the end. This allows those individuals to actually be able to participate in retirement benefits, in their retirement from the military, even if they don't make it all the way to 20 years. This is a dramatic shift not only in supporting the warfighter but in actually setting a strategy for where we need to go to provide some clarity to individuals at home and to our troops in the field.

The President's statement that he is going to veto this has come under two areas. He said he is going to veto this because the funding mechanism comes from the Overseas Contingency Operations Fund, OCO. Because the funding is coming from OCO, he is going to veto it. The second thing he said: I am going to veto it because I don't like what it says about Gitmo—about Guantanamo—and keeping those individuals who are terrorists who have attacked our Nation at Guantanamo.

The ironic part is that when I started to pull this to be able to look at the figures—let me just give the last several years. In 2013, the OCO funding was $89 billion. The President signed that. In 2014, OCO funding was $81 billion. The President signed that. In 2015, OCO funding was $64 billion. The President signed that. This year's OCO funding is $89 billion, which is right there in the same range as the previous 4 years, but this year he is saying: I can't sign it; it has OCO funding. Can somebody tell me the difference on this? This is very similar to what has been done the last 4 years.

His statement about Guantanamo Bay and preventing funding—moving the terrorists from Guantanamo Bay to the United States—I can tell you that in my State people are adamantly opposed to moving the terrorists from Guantanamo Bay to the United States. Going all the way back, let's say, to 2011, that NDAA prevented moving prisoners from Guantanamo; 2012, prevented it; 2013, prevented it; 2014, prevented it; 2015, prevented it. All of those, the President signed, but for some strange reason, this year the President has said: It has OCO funds and it deals with Guantanamo—just like every other year in the past.

This is the season when we need to bring clear voices and a clear mission, not politics. This is the primary mission we have as a federal government: Take care of our national defense and provide a clear messaging.

I am proud of this Senate for finishing the conference report on the NDAA and sending it to the President's desk. Now I would ask the Commander in Chief to stand with the troops, to sign this, and let's get on to providing some clarity in the days ahead.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, first, I want to commend my colleague, my partner on the Senate Intelligence Committee, for his recent remarks delivered here on the floor.

It was our Director of National Intelligence, Admiral Clapper, who said that in all of his 50-plus years of serving in intelligence functions—first in the military and now as the Director of National Intelligence—he has never seen a world so troubled, he has never seen such a proliferation of threats, threats to our way of life, threats to our country, threats to our allies, threats to world order. And my colleague from Oklahoma, Senator LANKFORD, just laid out in specific detail the multitude of threats, the multitude of dysfunction and chaos that exists not just in the Middle East but throughout the world. I won't repeat any of it, but I thank him for bringing attention to the fact that we live in very uncertain times, times which require decisive leadership, and that leadership—over the years and over the centuries, world nations have pointed to the United States as the democratic leadership absolutely necessary to deal with these types of issues and provide directional leadership to our allies and to the world, as well as show strength to our adversaries that has restrained some of their actions. That is missing.

There is a huge void being left by the lack of any kind of sensible policy—if there is a policy at all—coming out of this particular White House and from this President. This vacuum that has been created has allowed the opportunity for those who seek to do us harm, to do others harm, and those who seek to use power to achieve their means—literally, a blank check and a free hand, knowing there is no order here in terms of addressing this in a successful way.

So I thank my colleague for defining this on the floor, and I certainly want to support—and hopefully my colleagues will pay attention to this serious challenge that America faces with the lack of a coherent strategy and lack of decisive leadership that is coming to us from the White House.

WASTEFUL SPENDING

Mr. President, today we face something far less consequential but still consequential from the standpoint that it is a contributor to another major threat that Americans face.

I have been engaged in everything from major programs—done in a bipartisan way, with support from the President, all of which have failed—to address this and bring us to the small, sometimes almost ridiculous and embarrassing, spending that has taken place here for those who are looking at it from bottom up instead of from top down. It is something I have tried to identify every week—now for 23 weeks—called the waste of the week, hopefully it will provide the kind of embarrassment to my colleagues and knowledge of the fact that we simply cannot keep spending money that we do not have.

These waste of the week sums are substantial, into the tens of billions of dollars. Some are there to show the American people or describe to the American people the fact that there is a significant amount of unneeded spending, of waste, fraud, and abuse that occurs on an almost daily basis throughout all of our agencies and throughout Federal spending. People are saying: Given the kind of debt crisis we are looking at, why are we spending hard-earned tax dollars to address this or that or whatever?

Today I want to address one small but yet another example of unnecessary Federal spending, and it involves the role of robots replacing humans for certain functions. Those who have watched ''The Jetsons''—I don't really tune in, but my grandkids do—perhaps wish that they, too, could have a Rosie the maid, the robot that cooks, cleans, and tells jokes to the Jetson family. This obviously is a cartoon presentation, but it reflects a role for robots that provides us interesting entertainment or perhaps the robot from ''Lost in Space'' that played the electric guitar and exhibited human emotion or

Michael Knight's trusted robot sidekick KITT on ''Knight Rider.''

This is a little bit beyond my generation, but I am told robots are now part of the entertainment scene. While this makes for good television and draws viewers, we all know robots can never replace the care of a human being, the care of a parent, the efforts of a teacher, those who are reaching out to provide support and encouragement for young people. Yet the National Science Foundation is currently spending $440,855 trying to do that with robots. The agency recently awarded a taxpayer-funded grant to develop the use of ''autonomous, personalized social robots'' in the classroom.

The first thing that came to my mind was what in the world does a personalized social robot look like and how do you personalize a robot to provide social interaction with children? The purpose of this grant, which began last month and continues until August 2017, is to create robots that can tell stories to children.

This might be a cute thing to do. I don't know. Is this something the Federal Government, at a time when we are in the middle of deficit spending, evermore borrowing, should ask the taxpayer to send out their hard-earned tax dollars for—this kind of thing? If private industry wants to do this and can sell the product to schools, more power to them, but why do we have to go to the Federal Government to do a test case to see if this works? We know we do basic research here. We support that through NIH and the National Science Foundation. This is not basic research. I am questioning this.

Let me quote from the grant description. This will ''offer unique opportunities of guided, personalized and controlled social interaction, whatever that means, during the delivery of a desired curriculum. They can play, learn and engage with children in the real world—physically, socially, and emotively.''

Maybe the effort here is to build a robot that can physically, socially, and emotively connect with children. That might work on ''The Jetsons.'' That might work on television. I can't believe how that works in real life.

What parent wants a preschooler to be read to by a so-called social robot instead of a teacher or a parent? And why are we spending taxpayer dollars on reading robots? Actual human teachers provide what robots cannot. They relate to our children. They understand their individual needs, and they tailor their instruction to bring out the very best in our children and on a personalized basis. I don't think a robot can adjust emotively and socially to different children in the classroom. Yet obviously the teacher is trained to do that.

Even the most advanced robot can't sense when a child is going through a rough time or provide the right touch to ensure a child's learning. Should the Federal Government, which is over $18 trillion in debt, be spending any money, let alone $440,000, on this research? Is this something the private sector could be conducting instead? Certainly, if that is what the goal is.

My purpose throughout the Waste of the Week Initiative is to drive home the point that the Federal Government should be stewarding taxpayers' dollars for essential functions and in a way that truly helps people.

Let me be clear. I am not criticizing all Federal research spending or the National Science Foundation. The government does play an important role, as I have said, in promoting basic science research that cannot be done elsewhere, but there are many private companies that offer products that use technology to help children learn. Is it the role of the government to also perform this sort of research? Just because something is interesting to do doesn't mean it rises to the level of priority, particularly at a time when we are continuing to spend more money and go deeper into debt each and every day.

Families and small businesses have to prioritize all the time. The Federal Government needs to do the same. So let's pull the plug or take out the battery and short circuit this funding for this grant.

Today I am marking more money on our ever-increasing amount of waste, fraud, and abuse. We are adding $440,855 to the nearly $117 billion that over the last 22 weeks we have brought to this floor.

60TH ANNIVERSARY OF CRISPUS ATTUCKS CHAMPIONSHIP

Mr. President, while I am here, let me switch and for a couple of minutes speak to something that I think speaks well of our State; that is, celebrating an important anniversary.

In Indiana, few things better personify the Hoosier spirit of hard work and overcoming adversity, persistence, and sportsmanship more than high school basketball. It is rabid in our State, and it always has been. It defines our State.

Every year the high school basketball season culminates in February and March with what we call Hoosier Hysteria—the postseason tournament. Half a century ago, the height of Hoosier Hysteria was before school consolidation and before the advent of class basketball. At that time we had one single athletic class and crowned one high school basketball team State champion each year. For the final game of the tournament, fans would fill Butler University's historic Hinkle Fieldhouse to standing-room-only capacity. Throughout those weeks of tournament, as the small, medium, and large-sized schools worked their way through the system to that championship game, it captured the hearts and minds of Hoosiers in a way that nothing else does.

This phenomena was immortalized by the award-winning 1986 movie ''Hoosiers''—one of my personal favorites—and based on an improbable but true story. Back in the 1950s, hundreds of small high schools existed across our small State, but no small school had ever won the basketball State championship. In 1954, Mylan High School—a rural school with an enrollment of only 161 students in all four grades—faced a much larger school, Muncie Central High School, whose enrollment was 2,200 students in the State championship game. The Mylan Indians defeated the Muncie Central Bearcats to win the State title. It has been immortalized through the movie ''Hoosiers,'' which any Hoosier, and hopefully people outside the State, watched more than once. I watch it on a regular basis. It is a great story.

Even today, Mylan's incredible accomplishment is widely admired and discussed by Hoosier basketball fans. Indiana high school basketball in this era produced not only this ''David and Goliath'' episode but also another truly inspirational team. This is their 60th anniversary.

En route to winning the 1954 State championship, Milan defeated the Crispus Attucks Tigers in the semi-State. That is no small accomplishment. That was a large school with an exceptional team. At that time, Crispus Attucks was an all-Black high school in Indianapolis. Despite their loss to Milan in 1954, the Tigers were back the next year. On March 19, 1955—60 years ago—Crispus Attucks won the State title by defeating Gary Roosevelt High School 97 to 74 in that championship game.

The next year Crispus Attucks went undefeated, riding a 45-winning streak to State title. The Tigers finished the 1950s with a third championship in 1959.

Crispus Attucks High School's 1955 State title was one of several firsts. Not only were they the first team from Indianapolis to win the State title, they were the first African-American school in the Nation to win an open State tournament.

Through the perseverance and leadership of their coach, Ray Crowe, the players learned not just the game of basketball but also valuable lessons about discipline, patience, and perseverance. These lessons resulted in back-to-back State titles, as I have said.

On the court, the Crispus Attucks teams of the mid-1950s were led by a future professional all-star, champion, and Hall of Famer named Oscar Robertson. Oscar Robertson said of those Crispus Attucks teams: ''The way we played and won, we did it with a lot of class.''

The Tigers' success on the basketball court helped tear down many lingering racial barriers of that time. This team inspired the State of Indiana with their hard work, graciousness, and sportsmanship. Today I join my fellow Hoosiers in marking the 60th anniversary of this milestone and honoring this team of champions.

Mr. President, I yield the floor.

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

Mr. MARKEY. Mr. President, I ask unanimous consent that I be recognized for up to 10 minutes; that following my remarks, Senator SCHATZ be recognized for up to 10 minutes; and that following his remarks, Senator WHITEHOUSE be recognized for up to 10 minutes.

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

CLIMATE CHANGE AND TECHNOLOGY

Mr. MARKEY. Mr. President, the evidence and impacts of climate change are clear and they are undeniable. Scientists can measure the increase of carbon dioxide in the atmosphere. They can measure the rising temperatures. They can measure the increasing level of the sea. They can measure the increase in extreme rainfall. All of this increases the risk for extreme weather events that threaten people and the economy. While addressing the challenges of climate change will take a comprehensive approach, we have many of the policies, the workforce, and the technologies we need to address the problem already.

To illustrate that point, I want to tell you a tale of two tax policies—one for wind and solar and one for oil, gas, and coal. Let's look at the last decade of our tale of two tax policies.

In 2005, we, the United States, installed 79 total megawatts of solar in the United States. Seventy-nine megawatts was a teeny amount back in 2005. Last year we deployed nearly 100 times that amount—7,000 new megawatts in the year 2014. Look at that. We have nearly 100 times more solar.

Well, what happened? First, technology costs plummeted. Everybody has heard of a Moore's law for semiconductors. It told us that today's iPhones would be more powerful than last generation's supercomputers. We all know Moore's Law. We knew we would move from this pocket phone to an iPhone because the technology keeps getting more powerful.

There is a Moore's law for solar as well. Every time solar panel deployment doubles globally, the cost of solar falls by 18 percent. It is predictable. It is why we are seeing the cost of a solar panel drop 70 percent since the year 2010, and it is why costs will continue to fall.

Next, 30 States enacted renewable electricity standards. Yes, now more than half of the States in our country have a standard to get a sizable portion of their electricity from renewable sources, and finally, and most importantly from a national policy perspective, we passed an 8-year extension of the Solar Investment Tax Credit in 2008. We gave this industry and these companies certainty. We now have more than 20,000 megawatts of installed solar capacity in the United States. More than 60 percent of it was added in just the last 2 years, and we are projected to double that installed solar capacity over the next 2 years. We are forecast to add 8,000 megawatts this year and 12,000 megawatts next year, and that is because we put smart tax policies on the books 7 years ago.

Look what happened. If we go from the beginning of the American Revolution until 2005, we were still only installing 79 megawatts—just a teeny, tiny amount of solar energy. But when we started putting State renewable electricity standards on the books and a new tax policy, it started to explode 100 times—1,000 times more solar in America, by the way, with all the experts saying: This can't happen. Solar isn't real. Wind isn't real. You Senators, you House Members, you have to get real. Well, this is the proof that bad policies had stopped this explosion of these technologies.

By the way, the same thing is true for wind power. We are projected to add 9,000 new megawatts of wind power in our country this year, and we are projected to add another 8,000 megawatts of wind power next year. We can see what is happening with the combined totals of wind and solar once we put the new policies on the books. It was basically an era where almost no electricity in the United States was generated by wind and solar to the next year having 5 to 6 percent of all the electricity in America coming from wind and solar. It is like the explosion of cellphones that turned into smartphones. People didn't have anything in their pockets just 20 years ago—it was like the wind and solar industry—but we changed policies in the United States. We said: We can do it. We can untether ourselves from a telephone line in our living rooms. We can let people walk around with their phone, and we began to make the same decisions on wind and solar. We can untether ourselves in the United States from coal-generated electricity that emits greenhouse gases that dangerously warm our planet, and we are now doing it. It is accelerating, and that is the beautiful part of the story.

By the end of next year, there are going to be 300,000 people employed in the wind and solar industry in the United States. Right now, there are 73,000 people building these wind turbines. Steel and iron workers are out there doing this work right now, and it generates clean, renewable, nonpolluting energy. We can do this. We are the United States of America. We are the innovation giant on the planet. We can solve this problem.

What has happened with the wind industry? Well, their tax break has now expired. Has the tax break for the oil industry expired? Oh, no. Has the tax break for the coal industry expired? Oh, no.

Those tax breaks have been on the books for 100 years. They will never expire—never. There are too many people who want to help the fossil fuel industry here in the Senate and over in the House of Representatives, but the tax breaks for the wind and solar industry—the ones that are showing the tremendous growth, innovation, and capacity to develop new technologies that we can export around the planet—are expiring.

If we look at the green generation—young people within our society—which technology do they want us to invest in? Do they want black rotary dial phones and coal-burning powerplants or do they want the new technologies of the 21st Century, their generation? Do they want the past dirty carbon pollution or do they want future clean energy? It is not even close. This is a choice that has to be made by this generation. The green generation expects us to be the leaders on this issue.

The oil and gas industry get $7.5 billion a year in tax breaks. The oil industry doesn't need a subsidy to drill for oil any more than a bird needs a subsidy to fly or a fish needs a subsidy to swim. They are going to do it anyway. What they do though is lobby to take away the tax breaks for solar and wind because they know that will displace them. Our goal, of course, should be to have a massive ramping up of these energy technologies.

Do you want to hear an incredible number? The Chinese government, while the Pope was in town here in Washington, announced that China was going to deploy wind and solar and other renewable technologies by the year 2030 that would equal the total of all electrical generation capacity in the United States of America. They are going to deploy all their coal, natural gas, hydropower, wind, and solar. Again, I said earlier that every time there is a global doubling of the deployment of solar on the planet, the price of solar drops by 18 percent. China is going to be doing that.

Last week India announced that they are going to have a massive increase in their renewable energy resources as well.

Unfortunately, the tax breaks in our own country have already expired or are going to expire for the wind and solar industries. Our country is supposed to be the leader. We are supposed to be the technological giant on this planet.

All I can say is, if we want the jobs, this is the sector where the jobs are being created. There will be 300,000 jobs in this sector by the end of next year. If we want to reduce greenhouse gases, this is the sector that can make it possible for the United States to be the leader.

If we want to be the leaders to ensure that we are acted on the message that Pope Francis delivered to the Congress just 2 weeks ago, we have to move toward these technologies. The Pope asked us to use our technological capacity in order to solve this problem. The Pope pretty much said three things. No. 1, the planet is warming dangerously, and the science is clear. No. 2, the cause of the warming is

largely by human beings, and the science is clear. No. 3, we have a moral responsibility.

Ladies and gentlemen, this is a huge day because we have Members coming out to the floor to talk about this revolution and how we can find a solution so we can deal with this issue in a positive, affirmative job-creating way. We can engage in massive job creation in order to save all of God's creation. We can do it, but we have to decide that we are going to be the leaders in this sector, and all I can say is that in the end we are going to win because technology always triumphs—always. You can hold it back for a while, but in the end it is going to ultimately change our world. By the year 2100 people will look back and wonder why we ever did generate electricity by the use of fossil fuels on our planet.

I thank the Presiding Officer, and I see that Senator SCHATZ and Senator WHITEHOUSE have arrived.

With that, I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, I thank the Senator from Massachusetts for explaining to the public and this body what we are all becoming increasingly aware of. The technology is there. This is no longer pie in the sky. This is not hopeful ecological utopia thinking. This is real stuff. These are real jobs that are being financed by banks and financial institutions. This is already upon us.

I wish to tell the story of Hawaii's clean energy transformation. Of course the clean energy transformation is taking place across the country, but it is especially true in Hawaii. For decades—since the demise of the sugar plantation—Hawaii relied on imports of fossil fuel for our energy needs. As recently as 2010, we derived nearly 90 percent of our electrons from burning oil. In just 4 years we have driven this number down to around 80 percent, and we are on our way to a 100 percent clean energy target.

Hawaii's reliance on imported fuels isn't just bad for the climate, it is also bad economics. We have the highest electricity rates in the country. Our rates are three times higher than the national average. For the privilege of burning LSFO, low sulfur fuel oil, we are paying higher prices than anywhere in the Nation, and so something had to give.

In order to bolster our own energy security and economic prospects, we made the decision to transition away from fossil fuels to solar, wind, and geothermal. Clean energy is Hawaii's future, but it is important to point out that in the beginning we had naysayers on the left, right, and center, much like the current debate in the Congress. There are those who think that what we do in the clean power plan or with the carbon fee will not be nearly enough, and there are those who think that we are doing too much too fast.

I remember having this exact conversation in Hawaii in 2001. In 2001, we started small and passed a voluntary renewable portfolio goal that encouraged utilities—didn't mandate—to generate 9 percent of their electricity from clean energy by the year 2010. The target, frankly, was unambitious. It was voluntary and it was unenforceable, but it was important because it was a start. For some it was little and for others it was too radical, but it was a start. So we kept pushing.

In 2004, we replaced the original goal with a requirement of 20 percent clean energy by 2020. Two years later, we added incentives for compliance and established penalties for noncompliance.

In 2008, Hawaii partnered with the USDOE to identify the technical, regulatory, and financial barriers preventing the State from reaching its clean energy potential. This partnership, the Hawaii Clean Energy Initiative, was crucial to helping Hawaii realize that a 100 percent clean energy goal was actually realistic.

A year after starting this partnership, the State increased its Clean Energy Standard to 40 percent by 2030, establishing an energy efficiency standard of 30 percent and enshrining into law the requirement to reduce emissions from the power sector by 70 percent by the year 2030.

I want to give context here. People thought this was totally unrealistic and that we would even at the first 2- or 3-year increment already miss our goals, but what happened was the opposite. We started exceeding our interim targets, and then we ratcheted up our goals. Progress toward these goals demonstrated that an even more ambitious, audacious goal of 100-percent clean energy was a real possibility.

So this year Governor Ige in Hawaii signed the law requiring utilities to generate all of their electricity from renewable sources by 2045. We are currently meeting or exceeding our interim targets, thanks in large part to big increases in wind power and in distributed generation, especially solar rooftops.

It is important to say that progress towards our clean energy goals hasn't impeded economic growth. Hawaii's unemployment rate is among the lowest in the Nation and 1.5 percent below the national average.

Strengthening this law required consistent efforts by advocacy groups, businesses, and government agencies to bring about the change. It also showed the importance of taking those first steps down the road to a low-carbon economy. Whether they seem too small to make a difference or too large to be possible, we have to start. Once we do, ambitious goals are more within reach than they may have originally seemed.

Now, Hawaii is blessed in a number of ways, including with ample sunlight, steady winds, and volcanic energy. But Hawaii is not unique in its ability to generate substantial quantities of electricity from clean renewable resources.

The National Renewable Energy Laboratory analyzed clean energy potential across the country and found that ''[r]enewable electricity generation from technologies that are commercially available today . . . is more than adequate to supply 80 percent of the total U.S. electricity generation by the year 2050.''

That is with technologies available today. As these technologies improve and the cost of clean energy continues to fall, wind and solar power will be increasingly competitive with electricity generated from fossil fuels in States across the country. As my home State of Hawaii illustrates, we just have to start.

This is a lesson that we must take to the international context as well. As the world meets in Paris later this year, I urge representatives from all countries to think of Hawaii's experience moving towards a zero carbon energy system. The climate negotiations in Paris are shaping up to be at least a moderate success. But whatever agreement emerges from Paris will likely be a political Rorschach test, which is to say that some will say that we are promising too much and others will say that we should be offering more. Whatever one's predisposition about climate, Paris will prove it to the world.

But what truly matters is not exactly what the particulars of each agreement in Paris are but what happens next. It is doing the work. It is power purchase agreements. It is public policy. It is tax incentives. It is permits. It is public utilities commissions. It is actually getting the work done across the country and across the planet.

When something as consequential as climate change is on the table, it is going to require global capital, technological breakthroughs, and political will. That political will will only occur if people understand that, yes, this is a problem. It is real. Yes, it is urgent, and yes, it is caused by humans. But, most importantly, we can, in fact, fix it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I wish to join my colleagues from Massachusetts and Hawaii to talk about the tax credits for wind.

We have had a remarkably exciting new thing happen in Rhode Island this summer. From time to time, I am able to get out on Narragansett Bay and, over and over, whether driving on the bridges over Narragansett Bay or actually out on Narragansett Bay, we saw the sites of these enormous barges traveling down the bay, bringing these huge structures that were carried out, located off of Block Island, and sunk to the ocean floor to provide the platforms for the first steel-in-water offshore wind energy in the country.

Now, we can go over to Europe and see wind energy all over the place. We are behind them in developing it, but

Rhode Island is the start. And whether we saw these enormous structures that were the legs—the frames for the pylon and the turbine—or whether we saw enormous pilings that get carried out there and in the same way that you drive a nail through the hole for a hanger and put it through wall, they take these enormous pilings that reach way up into the sky and drive them through the hollow legs of the framework and down to anchor them in the ocean floor.

So this is under construction right now. It is big. We see these barges coming by and they are enormous. The structures run hundreds of feet in the air. It is exciting to see this happening, and it is part of the wind revolution that Senator MARKEY and Senator SCHATZ talked about.

So there is a conflict in my mind between this exciting sight in Rhode Island—these big yellow structures coming down the bay in the bright light—and then coming to the darker Halls of Congress and moving from that exciting sight to the tedious fight that we have over and over to protect the wind production tax credit. Over and over we have to go through this fight. Why? I will tell my colleagues why. It is because opposition to the wind tax credit is one more little wriggling tentacle of the fossil fuel industry. They have huge tax subsidies, tax credits, and tax advantages baked permanently into the Tax Code, and they sit on those and they defend them and they are merciless about anybody who tries to take those away. But let a little wind come along and try to get a competing tax credit of its own, and they try to crush it, over and over and over.

Nobody runs for office to come to the Senate and says: The thing that drives me, the thing that motivates my candidacy is to make sure that our wind energy in the United States gets knocked down; let's take their little tax credit away. Nobody runs on that. In fact, if I recall correctly, the Presiding Officer ran for office with a picture of a wind turbine in Colorado. So it is not as if there aren't friends to wind in this Chamber.

But once someone gets here, the oil and fossil guys are very powerful. They are very remorseless. They have made immense threats to squash any action on climate change. And as a little sidebar, they always try to beat the little wind energy subsidy. They will never give up their own, and their own are much bigger. We have probably $50 billion over 10 years in cash tax benefits going to these companies, which are the most profitable companies in the history of the planet. They are the last companies that need any help.

If we look at people such as the International Monetary Fund—not exactly a liberal, green group—the International Monetary Fund estimates that if we put in all of the subsidies that fossil fuel gets around the world, it adds up to more than $5 trillion—trillion. I am from Rhode Island. I think $1 million is a lot of money. I am starting to get used to talking about billions of dollars being here. Trillions is what the fossil fuel subsidy, in effect, is around the world, and just in the U.S. it is $700 billion in a year. Yet, greedy, big corporations that sit and defend that benefit to the last trench also want to crush the poor little wind benefit. It is just not fair and it is just wrong.

But I think we are going to be able to prevail. We have seen some real progress here. Bloomberg just published an article that wind power is now the cheapest electricity to produce—cheaper than anything else—in both Germany and in the United Kingdom. It is a powerful industry in States such as Colorado and in Wyoming, where they have so much wind that they export wind energy to other States. Iowa is probably our leader. Iowa generates nearly 30 percent of its electricity from wind. TPI Composites is a Rhode Island company. It builds composite materials in Warren, RI. They have a facility in Iowa where they manufacture wind turbine blades and, in the last decade, they have manufactured 10,000—10,000—wind turbine blades. There had been a Maytag factory in a town called Newton, IA, and the Maytag factory went bust because, of course, we are offshoring jobs to China. But guess what. They came in and started building these wind turbines. They are really too big to ship from China, so it has been a boom industry. It has put little Newton back on its feet.

If we don't pass the wind production tax credit, then States such as Wyoming and Colorado and Iowa that depend on this are really going to be hurt. This is bipartisan in these States. I don't know why the fossil fuel industry primarily runs its mischief through the Republican Party here in Congress, but it doesn't work in Iowa. In Iowa, a year ago, the Iowa State Senate unanimously passed a resolution supporting extension of the production tax credit—unanimously.

So we have a really strong case to make that this is the technology of the future. We have a fairness case to make that the great big brutal fossil fuel lobbyist organization shouldn't be allowed to hold on to all of its subsidies—depending on how we measure, they are measuring into the hundreds of billions of dollars—and, at the same time, try to squash poor little wind when it wants to get some subsidies in order to compete with this massive and malevolent incumbent.

Then I think we have the practical politics of this, which is that in State after State after State, wind has become real enough that it is going to be very hard for some of our colleagues on the Republican side to go home and say to their home State industry: Sorry, we put you under the bus. We put you under the bus. We protected your competitors in oil and gas; we absolutely would never touch them. We protected them. They are sacrosanct on our side. But we put you under the bus. That is going to be a little hard to explain.

So I very much hope that as we come together and pull together the continuing resolution or the omnibus—that avoids, I pray, another shutdown and that puts our country on a sensible budgetary footing going forward—this tax credit is a part of it, because we need these jobs. People are working in Rhode Island, and I will tell my colleagues this: When you are building a giant, enormous, big frame offshore, you are paying good wages. You are paying good wages to the people who operate the barges. You are paying good wages to the ironworkers, the steelworkers, and the electrical workers. You are paying good wages to the stevedores who are helping to load it up. These are really strong economic businesses, and we want to support them.

With that, 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. HOEVEN. 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. HOEVEN. Mr. President, I rise to speak on the issue of the fiscal year 2016 Energy and Water Development appropriations bill—the bill that, in fact, is now before the Senate.

We just voted at 2 o'clock this afternoon on the NDAA, the National Defense Authorization Act. That is very important because we need to pass that legislation for our military. In fact, we did, and we passed it with 70 votes. That is incredibly important because the President has threatened a veto on the National Defense Authorization Act.

This is legislation that has passed the House, and now it has passed the Senate and it is going to the President. If he vetoes it, we have to have the votes to override because we have to get that legislation done for our men and women in uniform. Not only, as I spoke earlier on the floor, is it about making sure we are doing our job on behalf of our military but also on behalf of our Nation's defense.

The other thing I mentioned in regard to that legislation is we also need to pass the companion bill, which is the Defense appropriations bill. So very soon we will be taking up the Defense appropriations bill, which is the funding that goes with the National Defense Authorization Act. We authorize those military programs and then we have to fund them. That is why the Department of the Defense appropriations bill has to be passed along with the Defense Authorization Act in order to get the job done for our military. I make that point because until we have done both of those things, we have not funded the military the way we need

to. I make that point as part of a bigger point and that is this: The Appropriations Committee, of which I am a member, has passed all 12 appropriations bills out of committee, and they are awaiting action on the floor of the Senate. Those bills have been passed with strong bipartisan votes. Instead of having each and every one of those bills filibustered, we need to take those bills up and debate those bills. People should offer the amendments they have, we can debate those amendments, and then we can vote. That is our job. That is how the Senate works. That is what the people of this great country send us to do. That is the work of the Senate. That is regular order.

As we talk about authorizing programs for men and women in uniform, we also have to pass the Defense appropriations bill. That will be coming before this Senate. I make that point because what we have been facing is a filibuster of all these appropriations bills. We will have another test. We will have another test now this week, and this is on the Energy and Water Development appropriations bill. This is energy, Corps of Engineers, vital fundamental infrastructure for this great country. So we will see if our colleagues will join us. Can we join together in a bipartisan way and advance through this appropriations bill, have the debate, offer the amendments, and get this work done? I hope the answer to that is yes. We will find out over the course of today and tomorrow if our colleagues would join together and get this work done for the American people and then on we go.

We may have to deal with a Presidential veto on the National Defense Authorization Act. If so, let's do so. Let's do so in a bipartisan way. Then let's take up the appropriations bill that goes with that Defense authorization. Let's make sure all 12 of these bills, all of these appropriations bills are brought to this floor, people have their opportunity for the debate, people can offer their amendments, and we will have our votes. If something can get 60 votes, it passes. That is the work of the Senate. That is the work of the Senate. If it is not done, the reason it will not be done is because there will be an ongoing filibuster. It is very important that the American people understand that because this is the work of the Senate, this is the work of the Congress, and we need to be clear about whether we are getting that work done or whether we continue to face a filibuster that does not allow us to bring this legislation forward to debate it in an open, transparent debate. Put it out there in front of the American people, make the argument, offer the amendments, and vote. That is how it is done. That is how it is done in this democracy. That is how it is done in this Senate.

So I rise to talk about the merits of the Energy and Water Development appropriations bill. This measure appropriates funding for the U.S. Department of Energy, including national nuclear security and energy research and development, as well as critical infrastructure projects administered by the Corps of Engineers and the Bureau of Reclamation. The Senate Appropriations Committee approved this bill in May. I am a member not only of this Appropriations Committee but this subcommittee, and we voted out of committee 26 to 4. So there are 30 members on the full Appropriations Committee, Republicans and Democrats, and by a vote of 26 to 4 we voted in favor of this legislation. That is about as bipartisan as it gets. It was supported by all of the Republican members of the committee and 10 of the Democratic members.

As a member of the Senate Appropriations Subcommittee on Energy and Water Development, I thank Chairman ALEXANDER and Ranking Member FEINSTEIN. They have crafted a bipartisan bill within our budget framework that balances our energy priorities and our national security preparedness.

I also commend Senate Appropriations Chairman COCHRAN and Ranking Member MIKULSKI. They brought the measure up in regular order, allowing amendments and debate, and they advanced this bill, as I said, with a very strong bipartisan 26-to-4 vote. The fact is, this is the first time in 6 years the Appropriations Committee has passed all 12 appropriations bills. All 12 have been passed in a bipartisan manner, awaiting action on the floor.

As I said, this legislation is within the budget guidelines. The Senate Energy and Water bill includes $35.4 billion in overall funding, which is $1.2 billion more than last year's funding level.

The Energy Department's nuclear security program is funded at $12.3 billion, which is $856 million more than last year. The Department of Energy programs receive an additional $270 million. This is important because our Nation has significant infrastructure needs, and that is what we are addressing, basic infrastructure needs of this kind. The longer we wait to improve America's infrastructure, particularly our waterways, the higher the cost will be. So it is very important that we get this legislation moving.

One of the ways we can cost-effectively improve the Nation's infrastructure is by using public-private partnerships, P3s, to fund water projects. I worked closely with Senator ALEXANDER, the chairman of the Energy and Water Development Subcommittee to include support for P3-style projects in this legislation.

I see that our chairman has joined us. Again, I commend him for not only the overall legislation but for his support for the P3s, public-private partnerships. By leveraging the resources of the private sector, we can accelerate construction and reduce overall project costs. This creates a win for citizens who benefit from the project and a win for taxpayers who save money on projects that are constructed on a more cost-effective basis. I look forward to passing this legislation so we can advance this P3 concept.

In fact, we have a project in Fargo, ND, that is perfectly suited for this type of approach. A P3 project can save the government hundreds of millions of dollars in construction costs, but we need to get this legislation passed so the Corps has the ability to start these types of projects and get them constructed for our country.

I am also pleased the legislation permits the Army Corps of Engineers to get a handful of new feasibility studies. Mother Nature doesn't wait on the Senate or Congress, so we have to keep looking at areas where we need to upgrade infrastructure and respond to things as they occur; for example, some of the recent events, as the Presiding Officer knows, which occurred in Colorado, the Animas River. One area I am very familiar with that needs better protection is Minot, ND, where we had a devastating flood in 2011. We need to do a feasibility study to determine how best to make sure that flood protection is put in place.

Finally, I am strongly supporting funding included in the legislation for improvements to water infrastructure across this country. Whether it is our ports or whether it is large or small, this is basic infrastructure we need for quality of life in this country. This is a long-term investment for the future of our country, the quality of life, the welfare of our people, and the ability to grow our economy.

Let me touch on a couple of areas before I turn over the floor to our chairman. In addition to the Corps of Engineers, this legislation provides funding for the National Nuclear Security Administration, the agency that develops and maintains the Nation's nuclear warheads. NNSA relies on the funding provided every year in the Energy and Water bill to preserve the Nation's nuclear deterrents. It is critical that this legislation moves forward. I am particularly pleased the legislation meets the fiscal year 2016 budget request for funds needed to refurbish the W80 warhead, which is the warhead that goes on our nuclear cruise missiles.

The W80 warhead is aging and needs to be refurbished so it can move to the new cruise missile being developed by the Air Force. The W80 is critical to the air leg of the Nation's nuclear triad. I am glad this legislation provides the funding to help keep our triad intact and in fact modernized.

The bill also makes advances in our energy security priorities. It increases funding for the Energy Department's energy research and development, which will help provide the research for technologies that will advance coal, natural gas, oil, and other fossil energy resources and innovations. This is important in order to pursue a true ''all of the above'' energy policy that enables our country to produce both traditional and renewable energy with better environmental stewardship.

The bill also provides support for the coal Advanced Energy Systems Program to research the efficiency of coal-based power systems and enabling affordable, commercially viable CO_2 capture technologies.

It continues funding for many other research and development programs that will strengthen our energy future, not only by enabling us to produce energy more cost-effectively and more dependably but also with better environmental stewardship.

I will start to wrap up and turn the floor over to our esteemed colleague from the other side of the aisle and the outstanding Senators who are members of the committee who are here and looking to speak in support of this very important legislation, but I want to finish on the aspect I started on earlier.

We have passed all 12 appropriations bills out of committee. This is the fundamental work of the Senate, making sure we fund the government, we fund the enterprise we are talking about, and we do so within the budget that was duly and properly passed by this Senate and by this House—by the Congress. This is the work we need to do. That means we have to proceed to these bills, that we have to offer the opportunity for debate, the opportunity for amendments, debate those amendments, and vote. That is our job. That is our responsibility. That is how we get the work done for the American people who sent us to do just that.

This is good legislation. These bills were passed with bipartisan support. As I said in the case of this bill, 26 in favor, only 4 opposed. Let's get going. Let's get the work done we were sent to do.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. LEE). The Senator from Michigan.

WISCONSIN-LAKE MICHIGAN NATIONAL MARINE SANCTUARY

Mr. PETERS. Mr. President, this week I was pleased to hear some good news about a very special place in the Great Lakes. On the bottom of Lake Michigan, right off the shores of Wisconsin, lies an incredible collection of shipwrecks. People across the Great Lakes region, especially in Wisconsin but also in my home State of Michigan and elsewhere, recognize that this stretch of Lake Michigan is a national treasure because of its historical significance and its great beauty.

Through a bottom-up community-driven process, many people teamed up to put together a proposal to protect this area as a National Marine Sanctuary. The Obama administration listened, and this week they announced they will be moving forward to establish a Wisconsin-Lake Michigan National Marine Sanctuary.

A National Marine Sanctuary designation, as Michiganders know from firsthand experience, helps to improve access and resources for special maritime places in order to enhance visitor access and preserve irreplaceable resources for future generations.

The Wisconsin-Lake Michigan sanctuary proposal would preserve an 875-square-mile area of Lake Michigan with waters extending from Port Washington to Two Rivers. As Michiganders watch a pure Michigan sunset over Lake Michigan on beaches from Ludington south to Muskegon, the Sun would set over the new sanctuary directly across the lake. The new sanctuary has 29 known shipwrecks, 15 of which are listed in the National Registry of Historic Places, with many of those wrecks almost completely intact—a very rare occurrence. Research shows the proposed sanctuary includes 123 reported vessel losses, so there are many more wrecks to discover in these waters.

Local community leaders in Wisconsin deserve much of the credit for building the support needed to move this proposal forward, but it would not have made it to this point without the tireless work of my friend and colleague Senator BALDWIN of Wisconsin.

In 2013, Senator BALDWIN urged the National Oceanic and Atmospheric Administration, or NOAA, to reopen the public nomination process for the first time in 20 years, and she continues to advocate for additional funding for national marine sanctuaries through her role on the Senate Appropriations Committee.

Earlier this year, I was pleased to introduce a bill with Senator BALDWIN and my good friend Senator STABENOW called the Great Lakes Maritime Heritage Assessment Act, which would require NOAA to review maritime heritage resources in the Great Lakes and suggest areas worthy of designation.

In addition, I teamed up with Senator BALDWIN to introduce the Waterfront Community Revitalization and Resiliency Act, which can work hand in hand with marine sanctuaries to boost the local economies of waterfront communities across the Great Lakes and the country. The bill would improve areas along the water to increase access to public space, grow business development, and create a new vision for waterfronts that can boost tourism, recreation, and small business.

The administration also identified another new potential sanctuary, the Mallows Bay—Potomac River National Marine Sanctuary, which is a 14-square-mile stretch of the tidal Potomac River with the largest ''ghost fleet'' of World War I wooden steamship wrecks and one of the most ecologically valuable waterscapes and landscapes in Maryland.

These two sanctuary proposals, if finalized, would be the first sanctuaries established since 2000 and would be just the 15th and 16th additions to the national marine sanctuaries network. The last addition to the network was in 2000, and that was Michigan's very own Thunder Bay National Marine Sanctuary and Underwater Preserve, located in Lake Huron, with the main NOAA office based in the great city of Alpena. The Thunder Bay sanctuary is a remarkable maritime treasure. It is known as Shipwreck Alley. Throughout history, it has been one of the most highly traveled and dangerous parts of the Great Lakes system. Nearly 100 shipwrecks have been discovered within the sanctuary, with a wide range of vessel types that makes the collection nationally significant.

The cold, clean, fresh water of the Great Lakes keeps shipwrecks in excellent condition, and the archaeological research that is conducted at Thunder Bay is world class.

Pictured here is the helm of the F.T. Barney, a two-masted schooner located at a depth of 160 feet near Rogers City. On October 23, 1868, the F.T. Barney was en route from Cleveland to Milwaukee with a cargo of coal when it was run into by the schooner T.J. Bronson. The ship sank in less than 2 minutes in very deep water. The wreck is one of the most complete you will find anywhere, with masts and deck equipment still in place.

Another impressive wreck, lying at a depth of only 18 feet near Alpena, is the wooden steam barge Monohansett. On November 23 of 1907, the ship burned at the water's edge at Thunder Bay Island. Today, the Monohansett's wreck lies in three sections. The stern portion has hull features, propeller, and shaft all in place, and the boiler is nearby.

You can still go up to Alpena and take a glass-bottom boat to tour these wrecks and see the crystal waters of Lake Huron, and you can even snorkel or scuba dive amongst some of the most well-preserved ships. It is truly a one-of-a-kind and once-in-a-lifetime experience.

Not only is Thunder Bay the only freshwater marine sanctuary among the 14 marine-protected areas—at least until these two new proposals—but it is unique in that it is also a State underwater preserve. It is jointly managed by NOAA and the State of Michigan. A joint management committee makes major policy, budget, and management decisions, and an advisory council represents the community's interests. It is part of the local community up north, and it is refreshing to see local, State, and Federal officials all working together to protect a national treasure.

The Thunder Bay sanctuary is a major tourist draw and economic driver for the area, and the Great Lakes Maritime Heritage Center in Alpena attracts out-of-State visitors and educates school groups.

Over the last decade or so, the benefits of preserving Thunder Bay were widely recognized, and a process was set in motion to expand the boundaries of the sanctuary. In September of 2014, after holding many meetings and completing a thorough environmental impact statement, Thunder Bay was expanded from 448 square miles to 4,300 square miles, driven by strong public and congressional support. This map shows the original boundaries and the

new expanded boundaries. The process was successful in part because of the work of Senator STABENOW, and, of course, my predecessor, Senator Carl Levin, who was a champion for the Great Lakes every day of his long service here in the Senate.

As we move forward to protect the Great Lakes and other valuable marine resources in the Great Lakes and across the country, we must devote robust resources to these deserving places. Many agencies, including NOAA, are operating on shoestring budgets. While their work is impressive as they stretch their funding, the benefits these designations bring to communities such as Alpena and the surrounding area are sustainable and provide a foundation for the local economy.

As a member of the Commerce, Science, and Transportation Committee, with jurisdiction over NOAA and the National Marine Sanctuary System, I am committed to working every day on protecting the Great Lakes and the fantastic waters and marine places within the boundaries of the United States of America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

EB–5 REGIONAL CENTER INVESTMENT PROGRAM

Mr. GRASSLEY. Mr. President, there is an immigration program that is out of control and not conforming to the reason the program was put into effect in the first place. It needs to be reformed or it needs to be eliminated. So I come to the floor to talk about this immigration program known as the EB–5 regional center investment program and the serious concerns I have about continuing this program without reforms. The program was just extended in the continuing resolution to keep the government funded, but I want to talk about changes that need to be made before and if it is extended again.

The EB–5 program was created in 1990. A foreign national under this program can invest $1 million in a new commercial enterprise that creates 10 full-time jobs, and then, in turn, that person receives lawful permanent residence and then, if they want to, citizenship. The required investment amount is only $500,000 if the investment is made in what is called a targeted employment area, defined to be a rural area or an area with high unemployment. The EB–5 program allows investors to pool their investments for a project, and they can meet the job-creation requirements by providing evidence of not direct jobs but evidence of indirect jobs.

In previous speeches on the floor, I have talked about the national security and integrity issues associated with the program. I have detailed the risks, and I have expressed concern about the lack of oversight by the administration. Today, I will focus on one particular abuse of the program and how this program does not fulfill the intent of the law passed in 1990.

Perhaps the greatest violation of congressional intent that has evolved over the years is the manner in which so much of the investment money coming into targeted employment areas has been directed toward lavish—and I mean lavish—building projects in well-to-do urban areas, not in the areas of high unemployment and not in rural areas, as the 1990 law implied. Four-star hotels and commercial office buildings are being built with foreign investment dollars in very affluent urban neighborhoods rather than the high-unemployment and rural areas which Congress intended to benefit. This has been done by gerrymandering the boundaries of the targeted employment areas to include at one end the affluent census tract in which the building project is located and at the other end, perhaps many miles away, a census tract with high unemployment.

In other words, the word ''gerrymandering'' is the word that is used in forming some congressional districts that are very strangely arranged so somebody can be reelected to office. The same approach is being used here to form a targeted employment area to get all of this money into urban areas that are very affluent.

One of the most notorious examples of this gerrymandering, to push the boundaries, is the Hudson Yards project, a group of luxury apartment buildings and office towers in Midtown Manhattan—in midtown Manhattan, meaning New York.

Even the Wall Street Journal, which never met a business project it did not like, reported on how this program has been abused. The Wall Street Journal explained how the Hudson Yards project qualifies for the lower investment threshold despite the affluent Midtown location of the project because the boundaries of the targeted employment area were manipulated—or let me say gerrymandered—to include a public housing project in Upper Manhattan.

Another project that flies in the face of congressional intent—meaning the intent of the 1990 law—is located in Lower Manhattan near Wall Street. As the New York Times reported, the Battery Maritime Building has been classified as being located in a targeted employment area based on a gerrymandered area that ''snakes up through the Lower East Side, skirting the wealthy enclaves of Battery Park City and TriBeCa, and then jumps across the East River to annex the Farragut Houses project in Brooklyn.'' In other words, the developers did everything they could to include the Farragut Houses project, which is a public housing community, to come in at the lower investment level. The New York Times went on to say that ''the small census tract that contains the Farragut Houses has become a go-to-area for developers seeking to use the visa program: its unemployed residents have been counted towards three projects already.'' That is the New York Times.

Watchdog.org, a national watchdog group that has followed abuses of the program closely over many years, has also identified another problematic, gerrymandered targeted employment area. They reported that a 21-story residential building project, which included trendy restaurants and shops, was built with foreign investments despite its location in an upscale neighborhood with only 0.8 percent unemployment.

These are just a few examples, yet they point to a clear problem with this program.

When it was created by Congress, we set two different investment levels and clearly tried to steer foreign capital to high-unemployment and rural areas. Obviously, I am showing you that has not been fulfilled by the way this program has finally evolved.

The Wall Street Journal reports that at least 80 percent of program money is going to projects that wouldn't qualify as being in targeted employment areas without ''some form of gerrymandering.'' Meanwhile, the article adds, people wanting to raise money for projects in rural areas and low-income parts of cities say they find it increasingly hard to compete.

Even the Washington Post has become fed up with the way in which the intent of Congress has been violated. In a September 6 editorial, after discussing the program's numerous economic and integrity failings and suggesting that the program lapse, the Post writes: ''The EB–5 program is supposed to favor distressed economic areas, but the definition of a needy zone has been stretched to include nearly the whole country, including hot downtown real estate markets.''

I wish to end by saying, again, that the program is in need of reform. In June, Senator LEAHY and I introduced S. 1501, a bill that would substantially reform the program by improving program oversight, addressing national security vulnerabilities and restoring the program to its original intent. I hope my colleagues will look at this very bipartisan bill and will take an opportunity to understand how this program is being used and abused and review the proposal that Senator LEAHY and I have put out there.

Mr. President, I refer my colleagues to the Wall Street Journal article ''U.S. Visa For Cash Plan Funds Luxury Towers—Program to spur jobs in poor areas supports projects in well-off neighborhoods,'' dated September 10, 2015, by Eliot Brown; the Watchdog.org article ''Upscale Dallas project cashes in on EB–5 visa program,'' dated September 24, 2015, by Kenric Ward; an article from the Washington Post ''It's time for the corporate visa giveaway to go away,'' dated September 6, 2015; and the New York Times article ''Rules Stretched as Green Cards Go to Investors,'' dated December 18, 2011, by Patrick McGeehan.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

ARKANSAS AND 25TH ANNIVERSARY OF NATIONAL RICE MONTH

Mr. BOOZMAN. Mr. President, the rare blend of soil type, environment, and availability of water make Arkansas an ideal location for rice to thrive and grow, making Arkansas the Nation's largest producer of rice.

Last year, production in the Natural State accounted for more than 50 percent of rice produced in the country. Farmers in more than half of Arkansas' counties grow rice; 96 percent of those are family owned and operated.

As the No. 1 producer of this crop, Arkansas has a unique role in the industry. That is why I am proud to recognize the 25th anniversary of National Rice Month. I am also proud to promote policies that enable our farmers to manage risk and ensure that high-quality U.S. rice remains a staple on tables throughout the globe.

This industry is not only contributing to a nutritious and balanced diet, it is also an economic engine. Arkansas, Mississippi, Louisiana, Missouri, California, and Texas all produce rice. Nationwide, this industry accounts for 125,000 jobs and contributes more than $34 billion to the economy. In Arkansas, it accounts for more than 25,000 jobs. The rice industry stands to benefit from a change in policies toward Cuba because it is a staple of the Cuban diet.

The U.S. Department of Agriculture estimates that U.S. rice exports could increase up to $365 million per year if financing and travel restrictions were lifted. Arkansas's agriculture secretary recently said that the economic impact on the Natural State's rice industry could be about $30 million. Rice production is efficient. More rice is being produced on less land, using less water and energy than 20 years ago. As great stewards of the land, rice farmers are committed to protecting and preserving our natural resources.

Arkansas' location on the Mississippi Flyway makes it a duck-hunting capital of the world and draws hunters from around the globe.

I am proud to support our rice industry and celebrate 25 years of recognizing National Rice Month.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank the Democratic Senators for their courtesy. We are running a little behind, and they have allowed me to go on and make my remarks.

I ask the Chair to let me know when 12 minutes have expired of my 15 minutes.

The PRESIDING OFFICER. The Senator will be so notified.

Mr. ALEXANDER. Mr. President, tomorrow we will be voting on the Energy and Water Development appropriations bill. I come to the floor to make two points about that very important legislation.

No. 1: if our Democratic friends would allow us to vote on it, allow us to debate it, amend it, pass it, send it to the President, and do the same with the other 11 appropriations bills that our Appropriations Committee has reported, we could easily say that this year in the Senate is one of the most productive years in a long, long time.

No. 2: the other point I wish to make is the importance of this bill. Ben Bernanke, the retired Chairman of the Federal Reserve Board wrote an article in the Wall Street Journal this week in which he said that you cannot rely on the Federal Reserve Board to create jobs in a growth economy in the United States, and that what you need to do is have better educational opportunities, more research, and you need supercomputing. I would add to this that you need to have infrastructure. This bill, the Energy and Water bill, has all of those things. It is a pro-growth bill for the United States of America.

Let me take the first point first. This is the first time in 6 years that the Appropriations Committee has reported all 12 appropriations bills. You might find that unusual because that is the Appropriations Committee's basic job. As much as it is for the Grand Ole Opry to sing, our job is to pass appropriations bills. That is article I of the Constitution. It is the first time in 6 years. The bills are all sitting there waiting. Most of them passed in a bipartisan way.

The one that we are bringing to the floor tomorrow passed 26 to 4 on May 2. Senator FEINSTEIN and I worked on it with most of the Members of this body. It is a very good bill, passed in a bipartisan way.

What would usually happen in a properly functioning Senate is that we would spend the two months of June and July dealing with those 12 appropriations bills. That would mean that not just the members of the Appropriations Committee would have a chance to vote on them. It would mean that the Senator from Utah, who is not on the Appropriations Committee, would have a chance to make his points about the appropriations bills, which is part of his job here, yet he is shut out of that.

Why? Because Democrats say: We won't even let you bring them to the floor.

It is an extraordinary thing to do.

But despite that, I want you to know what this body has accomplished. In the last 7 months or 8 months we passed the Keystone Pipeline. The President vetoed it. We overruled the ambush elections rule from the NLRB, and the President vetoed it.

But listen to all the things we accomplished with the cooperation of Democrats on the other side of the aisle. Then, as I said, if we could add the appropriations bills, we would have the most productive Senate in many, many years. There is the trade authority law. It passed, and it is law.

We fixed No Child Left Behind, and we ended the common core mandate.

We reversed the trend of the national school board, and we did it with 81 votes in the Senate. It was a bipartisan bill.

We passed a long-term highway bill after we had 34 short-term highway bills.

There was a permanent fix of what we call the doc fix—the way we pay doctors for Medicare payments. A long-term permanent solution passed this body. It is now the law after 17 short-term fixes. This law changed the way we pay for doctors so that we pay them more for quality rather than fee-for-service.

We have dealt with what happens when a terrorist calls from Afghanistan to Nashville on the phone. That is the USA FREEDOM Act. It is now the law.

We passed the Defense authorization bill, terrorism risk insurance, and the Iran review act. Waiting in the wings is the chemical safety bill, which has bipartisan support, and—believe this—it is 39 years since it has last been touched. And there is a cybersecurity bill right after that.

That is an impressive list of accomplishments for this Senate. Think of what we could say if we had spent June and July, as we should have, debating the appropriations bills.

Now let's move to the Energy and Water appropriations bill. On May 21, it was approved by the Appropriations Committee. The Senator from California, Mrs. FEINSTEIN, and I recommended it, and 26 Senators voted for it and 4 voted against it. It stays within the law. The law that we passed and the President signed tells us what we have to spend.

Yet Democrats said: Well, we are not going to let you bring it to the floor because we think you should spend more than that.

Well, maybe we should, but the law says we should spend what we spent. So we followed the law.

When you block our bill and don't allow it to be brought to the floor, what do you do? You cut 70 Senators out of having a say on the Energy and Water appropriations bill. And what does that mean? They don't have a say over it. They don't have a say over nuclear weapons.

Half of our bill is about national defense. Are we properly funding nuclear weapons? They don't have a say over National Laboratories, the laboratories where we are inventing new ways to manufacture that will help grow jobs. They don't have a say over how much money we are going to spend on the Missouri River floods. They don't have a say over how much money we are going to spend on the locks and the dams that we have. The Panama Canal is widening, and if we don't deepen our harbors, the ships are going to go to Cuba. So we want them to go to Savannah, Mobile, and to other places like that.

They don't have a say over nuclear waste. Where do we put nuclear waste? So the Democrats, by blocking the bill from coming to the floor, have cut

their own Members out of having a say about this. Half of the Energy and Water bill funds national defense activities, and the other half of it funds other essential non-defense items. And all the Democrats asked for was 3 percent more funding than what we're already spending in the bill.

What I said in the Appropriations Committee was this: You know, this is really a pretty good way to budget. Let's appropriate it as if we had 97 percent of what you want, and if we get 3 percent more in the discussion at the end of the year, then we will add it. That shouldn't be hard to do. We could do it in 24 hours.

The way the Senate is supposed to work is the Energy and Water bill is supposed to come to the floor. We are supposed to debate it, we are supposed to amend it, and we are supposed to send it to the President. If he doesn't like it, he can veto it and send it back. That is what should happen.

If Senators don't like the bill now, they can block it. They can vote against it after we amend it. They can vote against it after we conference with the House. That takes 60 votes too. If the President vetoes it, it takes 67 votes to override the President's veto.

My friends on the other side said: Well, that takes too much time.

What do you mean it takes too much time? That is what we are here to do. We are elected to have a say on these issues. This is $1 trillion in funding for the national defense of the United States of America and for its essential services—locks, dams, national laboratories, and where we put the nuclear waste—and the Democrats are saying: We don't even want to vote on the appropriations bills. We don't even want to have a say about them. We don't even want to send them to the President for him to consider.

Let's take an example. The bill includes funding for inland waterways. Those are the avenues that carry the commerce that creates the jobs in America. They need to be in good shape. We have agreed on that in a bipartisan way. We have even asked the barge owners to pay more to go through the locks, to which they have agreed, and our bill matches what the barge owners are paying and increases the funding for inland waterways in Kentucky—Olmsted Locks and Dams, and Kentucky Lock—and Chickamauga Lock in Tennessee.

It also provides $1.254 billion from the harbor maintenance trust fund. That means we will be spending more to deepen harbors in Savannah, Charleston, Texas, Memphis, Jacksonville, Mobile, and Louisiana, in Pascagoula, Big Sandy Harbor, Cleveland Harbor, Anchorage Harbor, and Wilmington Harbor. Do Senators not want to have a say about that? Do you not want to support that or oppose that if you think it is too much?

What about the National Laboratories? The National Laboratories are the source of the research that produces the jobs that gives us our family incomes. One of them is in Tennessee, the Oak Ridge National Laboratory. I was there the other day. They have a new thing called additive manufacturing, where they are 3–D printing automobiles. Let me say that again: 3–D printing automobiles or parts of automobiles. It may revolutionize manufacturing in America and the world as much as unconventional gas and oil has revolutionized our national energy policy.

Do other Senators—the other 70 who are not on the Appropriations Committee—not want to have a say about how much we spend on our National Laboratories?

What about how much we spend for nuclear weapons? We had a big debate in this body over the proper level of spending for nuclear weapons. We had a big debate over something called the START treaty, which regulated the weapons that we were getting rid of. We agreed at the time that we would spend a certain amount of money to make sure we could defend the country. Do Senators not want to have a say about that?

So why do we not pass appropriations bills that were ready in May, debate them in a day or two, and send them to the President? If the President doesn't like them, under the Constitution he can veto them and send them back.

If we are spending 97 percent of what he thinks he should spend and he wants to veto it for that reason and then send it back to us and if we decide after negotiations to spend 3 percent more, we can add 3 percent in 24 hours, send it back to him, and that is the end of the result.

This is not the way the Senate is supposed to operate.

I hope that my friends on the Democratic side will recognize that they would like to have a say in our nuclear weapons policy, and that they would like to have a say in how much we spend on our National Laboratories.

This bill has a record level of funding for the Office of Science—as written, the highest ever in this bill. You don't want to vote on that? You don't want to support that? You want to cut that? You want to stop that?

I don't want to stop it. I want us to support research. I want to support our national laboratories. I want to support national defense. I want deeper harbors all around our coast. I want inland waterways that aren't broken down. I want us to move ahead in this country.

This bill is a pro-growth national defense bill. It came out of the Committee on Appropriations with 26 votes for it, 4 votes against it. Senator FEINSTEIN and I worked with almost every Senator in this body for it. Why should we not consider an appropriations bill that has that kind of support?

Now, if we get on that path every time we change majorities here—let's say the Democrats win the next election and Republicans say: Well, look at what you did to us in the last election. We are going to block all your appropriations bills because we would like to spend less. We won't ever do any appropriations bills again in the Senate because one body or the other blocks the amount of money. We are supposed to vote on that.

In the last Congress the Democrats were in control, and they wouldn't bring the appropriations bills to the floor.

The PRESIDING OFFICER. The Senator has consumed 12 minutes.

Mr. ALEXANDER. I thank the Chair. I will conclude within the next 3 minutes, and I thank my Democratic friends for their courtesy.

In the last Congress, when Democrats had the majority and Republicans had the minority, the Committee on Appropriations completed its work in a bipartisan way on most bills, but the majority wouldn't bring the bills to the floor last year. Or when it did, it wouldn't let the Republicans offer amendments to it. They were afraid Senators might have their say.

This year we are in the majority for the first time in 6 years. In a bipartisan way we produced 12 appropriations bills out of 12. We would like to bring them to the floor, but they are saying no. We are not even going to vote on them. We are not even going to amend them. We are not even going to debate, even though if they do not like the bill at the end of that process, they can kill it with 60 votes. They can kill it after it comes out of conference with 60 votes. And if the President vetoes it, it can take 60 votes to override.

We don't have time to do appropriations bills here? Traditionally, we have always consumed June and July for the 12 appropriations bills. Previous Congresses have had time to do it. We should have time to do it.

Let me conclude where I started. This has been a very productive Senate. Most of that work has been because of bipartisan cooperation, whether it was the trade bill, the bill to fix No Child Left Behind, the highway bill, the doc fix—paying doctors for quality instead of fees—the USA Freedom Act, the Defense Authorization Act, the Terrorism Risk Insurance Act, or the Iran review act. And we have chemical safety and cybersecurity waiting. That is all the result of cooperation between Democrats and Republicans. Why can we not do that on appropriations bills, which is our most basic responsibility?

We did it in committee. I couldn't have a better person to work with than Senator FEINSTEIN. That vote was 26 to 4. It involves our national defense, it involves our growth, and it involves our security. I would hope every Senator would want to have a say on those issues tomorrow when we vote. So I hope they will vote yes on the Energy and Water bill tomorrow—yes to considering it; and then after we have considered it and debated it, we can send it

over to the House, come up with a conference, and we can see what they think.

That is the way the Senate ought to work. I am eager to see the Senate get back to that, and I think the American people are as well.

I thank the Chair and my colleagues for their courtesy, and I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

LAND AND WATER CONSERVATION FUND

Ms. CANTWELL. Mr. President, I come to the floor tonight to talk about something I would like to see done in the United States Senate—passage of reauthorization of the Land and Water Conservation Fund.

Definitely the Senate and Congress have disappointed us in not passing the Export-Import Bank reauthorization—which is something I am a big proponent of. And now, here we are with the Land and Water Conservation Fund.

For the first time in 51 years since this program was created, it has expired.

My colleagues are here on the floor to join me—I thank the Senator from Montana and the Senator from New Mexico—to talk about why this is such a vital program to all of our States and why we should have it reauthorized immediately.

The bill creating the Land and Water Conservation Fund was championed by Senator Scoop Jackson at the request of then President Kennedy. Why? Because the American population was growing and there was a need for outdoor recreation, open space, and public lands.

The Land and Water Conservation Fund was created to help protect some of our most popular national parks, forests, public lands, and iconic places.

For me, this is an incredibly important program because it has provided opportunities for hunting, fishing, hiking and other recreational uses that so many people use when traveling to the Pacific Northwest for vacation or for their livelihood.

Those of us who are from States with large amounts of public lands recognize the importance of outdoor recreation.

Nationwide outdoor recreation supports more than 6 million jobs. This is an economy in and of itself. In the State of Washington, outdoor recreation contributes more than $11.7 billion annually to Washington's economy. It is clear that protecting our public lands is good for both our environment and our economy.

The Land and Water Conservation Fund has been credited each year with funds from outer continental shelf oil and gas revenues. The success of that program has helped us authorize and make these investments for the American people, as I said, for more than 50 years.

We are here to remind our colleagues that we are going to put up a fight until we get the conservation fund reauthorized. And to make sure that people in our states and all across the Nation that enjoy public lands have access to them.

The issue is important to us, and in the energy bill we passed out of the Senate Energy Committee, I worked with my colleague, Senator MURKOWSKI, on a bipartisan basis to include a permanent reauthorization of the LWCF.

And I was joined by 31 Senators to introduce the American Energy Innovation Act that also permanently reauthorized and fully funded the LWCF.

So you can see from these two pieces of legislation that there was a lot of support from our colleagues for maintaining this vital program that is used by cities, counties, and jurisdictions in my State and in my colleagues' states and many others across the nation and that it is a vital tool for helping us to thrive in our outdoor economy. We want to see this legislation reauthorized as soon as possible.

I thank my colleagues again from New Mexico and Montana again for being here and for their leadership on this issue.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Mr. President, I want to thank Senators CANTWELL and HEINRICH for not giving up on the Land and Water Conservation Fund, and I need to point out that while there are three of us Democrats standing here, we speak for our entire caucus. We believe that the LWCF is something that needs to be reauthorized and, quite frankly, needs to be fully funded.

We are not going to play games with this issue. We are working to get this bill passed—not for show, not for politics, but because it is good for our economy. And I will get into that in a second.

There was a Republican gentleman who served in the Presidency of this great country some time ago—Teddy Roosevelt—who called on Americans to cherish our Nation's vast natural resources and to ensure that we safely pass them on to future generations. After all, they are the birthright of every American. That is what the Land and Water Conservation Fund is all about.

We take special pride in our public lands in Montana. They are a part of our way of life. We have just over 1 million people in our great State, but we lead the Nation in the percentage of residents who hunt, fish, hike, and enjoy our public lands. And the Land and Water Conservation Fund is a big reason for that.

Montana's outdoor economy brings in nearly $6 billion a year. Let me say that again. The outdoor economy, supported by the Land and Water Conservation Fund, brings in nearly $6 billion a year.

Last week, when I flew out of Montana, there were several fishermen who were flying out with me. They didn't live in Montana. All the money they brought into the State while they were fishing was outside dollars that wouldn't have been there otherwise. They probably used some of the fishing access—some of the 150-plus fishing access the Land and Water Conservation Fund has helped developed—when they enjoyed the great outdoors in Montana.

The Land and Water Conservation Fund also supports over 60,000 jobs. We talk about economic development all the time. We talk about how if we tweak our Tax Code or if we build this piece of infrastructure or if we make this education program more affordable, it can have an incredible impact on our economy. But the fact is, if you want to talk about economic development, if you want to talk about dollars invested for a return, the Land and Water Conservation Fund is an incredible investment.

To help preserve these lands and create these accesses, Montana has received some $540 million from the Land and Water Conservation Fund—money that has been very well spent. Montanans used this Land and Water Conservation Fund to preserve more than 8,000 acres of elk habitat in Meagher County, known as the Tenderfoot.

Montanans used the Land and Water Conservation Fund to protect some of the most pristine habitat in the lower 48, from conservation easements in the Rocky Mountain Front to acquisitions in the Crown of the Continent.

While Montanans certainly benefit from the fund, there are Land and Water Conservation Fund projects in nearly every county of the United States. Yes, this fund is responsible for protecting prime hunting and fishing, but it is also responsible for building trails and improving parks, playgrounds, and ball fields in every State in the country. That is why Congress must reauthorize the Land and Water Conservation Fund—to protect our best outdoor places and to reestablish this critical tool to build our communities in a way that will make future generations proud.

With that, Mr. President, if it is appropriate, I would like to ask my good friend from New Mexico a question.

I thank Senator HEINRICH for being here today. My question is, As he comes from New Mexico, is the Land and Water Conservation Fund something Senator HEINRICH hears about from his residents?

Mr. HEINRICH. Mr. President, let me thank my colleague from Montana. I think one of the great things about New Mexico and Montana is that we are both from States that absolutely cherish the outdoors, and we have a lot of constituents who care about the activities that generate so much income from the outdoors.

Obviously, I hear from an enormous number of my constituents asking us to reauthorize and permanently authorize the Land and Water Conservation Fund—to fund the Land and Water Conservation Fund. In fact, recently there was a letter which was sent to me but was also sent to the chair of the

Energy and Natural Resources Committee—to the chair and to the ranking member, the good Senator from Washington. It was signed by dozens of businesses saying: Hey, this is important to our bottom line. Please extend the Land and Water Conservation Fund. Please continue to support this bipartisan legacy of standing up for our natural resources in this country.

My good friend from Montana mentioned the scale of what that means in his State, and it is not a dissimilar story in New Mexico. In fact, over $6 billion annually comes from outdoor recreation activities, and 68,000 jobs in our State are directly related to outdoor recreation.

In fact, when I go home this weekend, we are going to be celebrating the Valles Caldera National Preserve and its management by the National Park Service. That was a property that for decades my constituents could not access. They could not hunt; they could not fish. It was private property. It was because of the Land and Water Conservation Fund that this place, which had really been on the radar screen of the National Park Service since the early part of the last century—probably since the 1930s—could come into public ownership and now be one of the true gems in the entire Nation of our public lands.

We are going to be celebrating that with our constituents on Saturday. The Secretary of Interior is coming. There are literally 100,000 acres of some of the most spectacular high-elevation grasslands and conifer forests and trout streams and elk habitat that we have ever seen, and there are businesses that rely on that. Tourism is an enormous part of our economy in New Mexico. So this is something which has been absolutely crucial to our State's economy, especially in the midst of the last decade and the challenges we have had economically. I know one of the groups who will be there on Saturday are the sportsmen, who care about utilizing the outdoors.

I would ask my colleague from Montana if in Montana he hears from people who hunt and fish, as I do in New Mexico, about the importance this particular legislation has had in protecting habitat and protecting access to the places that regular, blue-collar folks can go to hunt and fish.

Mr. TESTER. Absolutely. We hear from sports men and women nearly every day, if not every day.

Here is where the problem is, and this is why we need to get the Land and Water Conservation Fund authorized and funded—and funded at $900 million, I might add. If you want to go hunting and fishing today in this country, things have changed from the way they were 30 or 40 years ago. You used to be able to access private lands and go hunting and fishing, and you still can, but there are many fewer acres. So the real opportunity to go hunting and fishing in this country is on our public lands, whether those are State or Federal, and this Land and Water Conservation Fund allows access to those public lands.

There are some in this body and there are some in this country who don't think the Federal Government should own one stitch of land. Well, without those opportunities and our outdoor economy, No. 1, our way of life would change forever in States such as Montana, and No. 2, our economy would be severely distressed.

So, you bet, I hear from sports men and women, because when they want to go hunting and fishing, they go to those Federal public lands. That is where the good habitat is that they can access, and that is where the good fisheries are that they can access.

So this is very important. For those in this body who want to see this program go away, they are literally driving a nail in the coffin of rural America's economy.

Mr. HEINRICH. I would ask my colleague from Montana—we have heard a lot about reform. When we had the hearing in front of the Energy and Natural Resources Committee, we heard people on both sides of the aisle talking about how well this program works.

Does the Senator think the opposition that is holding this up, that is holding back the majority of this body—a bipartisan majority, I would add—does the Senator from Montana think that reform is really what this is about or is it about a more basic, more ideological opposition to public lands and the current efforts to either sell off or transfer those public lands that our constituents rely on for access to go camping, to go hunting, to go rock climbing, to recreate, to spend time with their families?

Mr. TESTER. It is hard to say what the agenda is. I do know that earlier this year there was a proposal put out to use the Land and Water Conservation Fund for fighting forest fires. Now there is a proposal put out to use the Land and Water Conservation Fund to manage forests.

The fact is, the Land and Water Conservation Fund works. It works to create habitat, and it works to access that habitat. It also works for playgrounds and parks and ball fields all across this country.

If we take a look at our overall budget and what we spend on a lot of stuff around here, $900 million for a nationwide program that impacts so many people, that impacts our economy in such a very positive way—there must be some agenda out there that I cannot see to do away with this fund. It makes no sense to me. And it is particularly frustrating to see folks on the other side of the aisle come down here to the floor and bring their friends in and say: I am going to make this glorious speech about this Land and Water Conservation Fund, and then I want you to stop the unanimous consent.

The bottom line is that things get done in here when we work in the middle. As I told some folks the other day in Montana, we need to bring these folks around who think this is just excess government spending because, quite frankly, there are a lot of places where there is excess government spending in our budget. This is not one of them. This is a good program that helps promote a great way of outdoor life and also helps promote our economy.

Mr. HEINRICH. Ironically, the money in the Land and Water Conservation Fund is not tax dollars. It is literally a deal that goes back five decades now where we opened up large swaths of our natural resources, our oil and gas offshore, and took a percentage of that and invested it back into protecting our natural resources. Obviously, those are natural resources that are one-time. You only get to drill for oil and produce natural gas one time. So the idea was that we would invest that in something to protect our environment, to protect our conservation lands, and to make a permanent contribution to that level of conservation.

Mr. TESTER. That is absolutely correct.

One of the things that makes this moment in time so important when it comes to the Land and Water Conservation Fund is that we are losing habitat, we are losing fisheries every day. There will be limited opportunities to keep these pristine lands available for hunting and fishing in the future, but the habitat will be gone if we don't deal with it. That is why it is very important not only to reauthorize the Land and Water Conservation Fund but to fully fund it so we can take care of these landscapes that help support incredibly great elk and deer and trout fisheries. It is very important. Plus, there are a lot more opportunities in our great outdoors, and the Land and Water Conservation Fund really helps people enjoy life and have quality of life. And I am not just talking about the folks who have incredibly thick wallets; I am talking about everyday, average Americans who work for a living and work darned hard for a living and want to be able to enjoy some of the great things this country has to offer.

Mr. HEINRICH. That is absolutely right. I hear from constituents all the time who will never be able to afford one of those $5 or $10,000 elk hunts on private land but who can enter the lottery every year and who do and oftentimes rely on that to get their family through the winter and to also just pull their family together in a tradition they have had as a part of who they are for years and years.

On Saturday, when we go to celebrate the Valles Caldera National Preserve, I am going to be taking my fly rod, and I am looking forward to spending the dollars that will go back into our State's game and fish coffers to make sure that resource is there again and again and again. That is what this Land and Water Conservation Fund is all about.

Mr. TESTER. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

RELIGIOUS FREEDOM

Mr. HATCH. Mr. President, a few weeks ago I inaugurated a series of speeches about religious freedom. In the first speech, I said that the rights of conscience and religious exercise go to the very heart of who we are as human beings and how we make sense out of this world. No decisions are more fundamental to human existence than those regarding our relationship to the Divine, and no act of government is more invasive of individual liberty than compelling a person to violate his or her sincerely chosen religious beliefs. This is why religious freedom in and of itself is so important and must be specially protected.

Last week I spoke about religious freedom in practice here in America. At no time in world history has religious freedom been such an integral part of a nation's origin and character. As Congress said when we unanimously enacted the International Religious Freedom Act in 1998, the right to freedom of religion undergirds the very origin and existence of the United States.

Professor Michael McConnell, director of the Constitutional Law Center at Stanford, describes how, by the time the Bill of Rights was ratified, America had ''already experienced 150 years of a higher degree of religious diversity than had existed anywhere in the world.''

Together, those two speeches told some of the story of religious freedom in America. Today I will build on that foundation and examine the status and the substance of religious freedom. More fully understanding these three aspects of religious freedom—its story, its status, and its substance—will help us better evaluate where we are today and inform where we should go in the future.

The status of religious freedom can be summarized as inalienable and preeminent. James Madison repeatedly identified the free exercise of religion according to conviction and conscience as an inalienable right. To America's Founders, as they expressed in the Declaration of Independence, inalienable rights have two dimensions. They come from God, not from government, and these rights are endowed—that is, they are inseparable from us and part of our very humanity. Government did not provide them, and government cannot take them away.

When Virginia developed its Constitution in 1776, George Mason's draft of a declaration of rights said that the exercise of religion should receive the fullest toleration by government. Madison objected and offered language that became section 16 of the Virginia Declaration of Rights, setting what one scholar calls a new standard for freedom of conscience. Here is Madison's language. He said:

> That religion, or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence; and therefore all men are equally entitled to the free exercise of religion, according to the dictates of conscience.

This understanding of religious freedom did not end with America's founding generation. In 1853 the Senate Foreign Relations Committee approved a resolution asserting that in treaties with foreign nations, the United States should secure for our citizens residing abroad ''the right of worshipping God, freely and openly, according to the dictates of their own conscience.'' The committee report on this resolution described religious freedom as fundamental, allowing the ''utmost latitude and freedom of conscience'' so that each individual ''is absolutely free to act in conformity to his own convictions.''

The fact that religious freedom is inalienable leads to another aspect of its status. In his 1785 ''Memorial and Remonstrance against Religious Assessments,'' Madison explained that religious exercise ''is precedent, both in order of time and in degree of obligation, to the claims of civil society.'' Supreme Court Justice Arthur Goldberg once wrote that to America's Founders, religious freedom was preeminent among fundamental rights.

Presidents and Congress have similarly identified the status of religious freedom as preeminent among rights. In his 1941 State of the Union Address, for example, President Franklin Roosevelt included religious freedom as one of four essential human freedoms. Just 4 years later, the United States signed the Universal Declaration of Human Rights, which asserts that religious freedom is an inalienable right universal to all members of the human family.

The last several Presidents have issued annual proclamations declaring January 16 to be Religious Freedom Day. Those proclamations, by Presidents of both parties, have said that religious freedom is a core value of our democracy, that it is essential to our dignity as human beings, and that no freedom is more fundamental than the right to practice one's religious beliefs.

Turning to Congress, the House Foreign Affairs Committee in 1955 approved a resolution ''reaffirming the rights of the people of the world to freedom of religion.'' The committee said that this resolution ''recognizes that the basic strength of the United States is spiritual and that all races, people, and nations of the world share with us a dependence on such strength.''

I mentioned earlier that Congress in 1998 unanimously enacted the International Religious Freedom Act. This body passed it by a vote of 98 to 0. Twenty-one Senators serving today—12 Republicans and 9 Democrats—voted for this legislation. So did Vice President JOE BIDEN and Secretary of State John Kerry when they served here. That law declares religious freedom to be a universal human right, a pillar of our Nation, and a fundamental freedom.

In subsequent speeches, I will explore the responsibility of government regarding an inalienable and preeminent right such as religious freedom, but I want to note two things at this point. First, as the Declaration of Independence asserts, government exists to secure inalienable rights. Second, if a right is preeminent, it must be properly accommodated when government takes actions such as enacting legislation and issuing regulations.

The status of religious freedom is that it is inalienable and preeminent. Let me turn now to exploring the substance of religious freedom in terms of both its depth, or what religion freedom is, and its breadth, or those to whom religious freedom belongs.

First, depth. Starting in the early 17th century, religious freedom in America has been understood to be grounded in the individual right of conscience. Roger Williams established a settlement in 1636 for those he described as the distressed of conscience, and subsequent town agreements and ordinances restricted government to civil things and protected the liberty of conscience.

This liberty of conscience encompasses not only what an individual believes but also how an individual acts on that belief. The Maryland Toleration Act of 1649, for example, provided that no person shall be troubled ''in respect of his or her religion nor in the free exercise thereof.''

The Virginia Declaration of Rights was the model for the Bill of Rights in the U.S. Constitution. The free exercise of religion is the first individual right listed in the First Amendment. That phrase, the ''free exercise of religion,'' is very important—extremely important. The First Amendment protects not simply certain exercises of religion or the exercise of religion by certain parties but the free exercise of religion itself.

Religious freedom is more than religious speech, which would be otherwise protected by the First Amendment, or attending a worship service on the Sabbath. It is, as Madison put it, the freely chosen manner of discharging the duty an individual believes he or she owes to God.

This robust substance of religious freedom is described in the Universal Declaration of Human Rights, which the United States signed in 1948. Article 18 states: ''Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.''

That is the Universal Declaration of Human Rights.

The United States signed the Helsinki Accords in 1975. Section VII declares the signatories ''will recognize

and respect the right of the individual to profess and practice, alone or in community with others, religion or belief in accordance with the dictates of his own conscience.'' Such rights derive from ''the inherent dignity of the human person and are essential for his full and free development.''

In 1992, the United States ratified the International Covenant on Civil and Political Rights. Article 18 echoes the same robust definition of religious freedom as the right, individually or in community with others, in public or in private, to believe and to practice one's religion. This robust description expresses the depth of religious freedom.

The second dimension to the substance of religious freedom is its breadth or its application across society. Earlier I mentioned the Maryland Toleration Act of 1649, which protected the free exercise of religion. It did so, however, only for Trinitarian Christians. The Puritans of Massachusetts Bay Colony outlawed the Quakers and punished heretics. In fact, Roger Williams went to what would become Rhode Island after being banished from Massachusetts because of his religious beliefs.

In those days, religious freedom had depth but not much breadth. Yet seeds were being planted. In 1657, residents of a community known today as Flushing, NY, signed a petition called the ''Flushing Remonstrance.'' This petition protested a ban on certain religious practices that prevented the Quakers from worshipping, and the signers stated they would let everyone decide for themselves how to worship.

America's Founders were the ones who asserted most directly that religious freedom is inalienable and, accordingly, established its breadth in the First Amendment. Rather than being limited to adherents of a particular faith, this protection applies to anyone acting according to the dictates of conscience.

The status and substance of religious freedom became concretely reflected in Supreme Court decisions in the 20th century. In Sherbert v. Verner, a woman was fired from a State government job for refusing to work on Saturday as required by her Seventh-Day Adventist faith. The Supreme Court affirmed that the door to government regulation of religious belief was ''tightly shut'' and set a standard that only barely opened the door to government regulation of religious behavior.

The Court said that government limitations on religiously motivated conduct could be justified only by ''the gravest abuses, endangering interests.'' Therefore, the Court said, Government must have more than a mere rational reason for restricting religious practice. In 1981, the Supreme Court reaffirmed the Sherbert standard by holding that government may ''justify an inroad on religious liberty by showing that it is the least restrictive means of achieving some compelling state interest.''

This holding was consistent with the path of American history regarding religious freedom. The protection of something, after all, goes hand in hand with that thing's value. If religious freedom is inalienable and preeminent, then it must be properly protected by law.

All of that changed in 1990. In a case titled ''Employment Division v. Smith,'' two Oregon State employees were fired for using peyote, a controlled substance, in their Native American religious ceremonies. The law did not single out religious use of this drug, but its application to these individuals seriously inhibited the practice of their religion. The Court should have applied the Sherbert standard and required the State to show a compelling justification for applying this law against religious adherents.

Instead, the Court turned the Sherbert standard on its head. The Court did exactly what it had rejected in Sherbert less than 30 years earlier, holding that the government needs nothing more than a rational reason for a general law or regulation that restricts the practice of religion. In other words, so long as the government is not explicitly targeting religion, the First Amendment provides no protection at all for the free exercise of religion, as that case held. The Court effectively demoted religious freedom from a fundamental right to little more than an optional fringe benefit.

In my opening statement at the Senate Judiciary Committee's hearing in September 1992 on a legislative response to this decision, I said the Smith standard is ''the lowest level of protection the Court could have afforded religious conduct.''

In Smith, the Court made it sound as if the Sherbert decision had spawned an epidemic of people using religious objections to obeying laws. The truth is that Courts had not applied the Sherbert standard strictly at all but with what the Congressional Research Service has described as a light hand. In the years between the Court's decision and Sherbert establishing the compelling interest standard and its decision in Smith abandoning that standard, Federal courts rejected more than 85 percent of religious exercise claims.

Government today compromises, burdens, and even prohibits the exercise of religion not by overt assault but by covert impact. Zoning ordinances can restrict where churches may meet, whether they may expand their meeting places, and what services they may offer; religious institutions may be forced to hire individuals who do not share their faith; and regulations may prohibit individuals from wearing items required by their faith or require employees to work on their Sabbath.

If government exists to secure inalienable rights such as religious freedom, it must properly respect and accommodate that right even as it becomes more and more intrusive. In fact, it is the increasing reach of government that makes vigilance about protecting religious freedom more, not less, important. Requiring a compelling reason to restrict religious practice identifies religious practice as important. Requiring only a rational reason to restrict religious practice identifies it as worth very little.

It is hard to overstate the impact of the Smith decision. It stopped dead in its tracks the long and steady progress toward real protection for religious freedom. Government has its greatest impact on religion today not by direct suppression but by indirect restriction. If the status of religious freedom as inalienable and preeminent compels its protection, then reducing that status, as the Court did in Smith, opens religious freedom to restriction and prohibition.

Congress responded to the Smith decision by enacting the Religious Freedom Restoration Act, or RFRA. We were motivated by the very understanding of religious freedom that the Supreme Court had abandoned; namely, that religious freedom is inalienable and preeminent. RFRA does by statute what the First Amendment is supposed to do. Under RFRA, government may substantially burden the exercise of religion only if doing so is the least restrictive means of achieving a compelling governmental purpose.

Congress enacted RFRA for one simple reason. While the First Amendment protected the free exercise of religion itself, by changing what First Amendment means, the Supreme Court in Smith put the free exercise of religion itself at risk. The Court made every exercise of religion by everyone vulnerable to governmental restriction, interference, and even prohibition. RFRA restored religious freedom by setting a standard of protection that reflects the true value of what it protects and applies that standard across the board.

This principle is so powerful that RFRA not only passed Congress almost unanimously, but it was supported by a coalition of unprecedented ideological breadth. That consensus existed because we rejected numerous requests to go beyond setting the standard and dictate how it should be applied in certain cases. We refused to do that in RFRA because the First Amendment does not do that. We set the right standard and left its application to the courts in individual cases.

In a 1994 religious exercise case, Justice David Souter urged the Court to reconsider its decision in Smith and described what is truly at stake. He wrote: ''The extent to which the Free Exercise Clause requires government to refrain from impeding religious exercise defines nothing less than the respective relationships in our constitutional democracy of the individual to government and to God.''

Properly understanding the status and substance of religious freedom naturally puts those relationships in

order. Misunderstanding or distorting those principles interferes with these relationships and imperils this fundamental human right.

In 1997, the Supreme Court held that RFRA applies only to the Federal Government because the Congress did not have authority to extend its protection to State and local government. As Smith had done, this decision made every religious practice by everyone vulnerable to government restriction. By these two decisions, the Supreme Court ensured that no one in America had either constitutional or statutory protection to practice their faith.

I introduced the Religious Liberty Protection Act in June 1998 to reestablish the religious freedom that the Supreme Court had again taken away, having been an author of the Religious Freedom Restoration Act. Like RFRA did, this legislation set a tough legal standard reflecting the true status and substance of religious freedom and left it to the courts to apply this standard to individual cases. Unfortunately, although it had bipartisan support, consideration of this bill stalled in the 105th Congress.

I next introduced a Religious Land Use and Institutionalized Persons Act to protect religious freedom for as many and as completely as possible. It set the same rigorous standard for government interference in the practice of religion, requiring that such actions be the least restrictive means of achieving a compelling government purpose. Within 2 weeks both the Senate and House had passed this legislation without objection. As he had done with RFRA, President Bill Clinton signed this legislation into law.

It is shocking how little it took—just two Supreme Court decisions—to stall America's centuries-long journey of religious freedom. As a result, the law today does not adequately protect religious freedom. You and I can claim the First Amendment's protection only if the Federal Government explicitly targets our religious practice. The First Amendment is not available at all when State and local governments restrict or even prohibit religious practice altogether. Even the legislation passed unanimously by Congress is unavailable when State and local governments restrict religious freedom.

We live in troubled times, and many things we once took for granted are being challenged and even attacked. Today the rhetoric about religious freedom does not match the reality.

In his 1810 State of the Union Address, President James Madison said that a well-instructed people can alone be a free people. The more we understand how religious freedom is inalienable and preeminent, how it is deep in substance and broad in application, the better equipped we are to promote and defend it. Only then will government not only pay lipservice to the fundamental right to religious freedom but will provide for and properly accommodate it so that it will be a reality for all of us.

These remarks are very important because a lot of people don't realize that religious freedom is not as free as the original Founding Fathers expected it to be. Even though we have had some very interesting cases, not the least of which was the Religious Freedom Restoration Act case, we are not there as far as true and noble protection of religious freedom throughout this country.

Fortunately, most States do respect this, and fortunately, hopefully, most governmental people respect this as well. But that is not enough. We need to change these things and get religious freedom the preeminent position it really holds as the first clause of the First Amendment.

I yield the floor.

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

INTERNATIONAL COMMITMENTS ON CARBON EMISSIONS

Mr. INHOFE. Mr. President, we are a little more than a month away from the United Nations climate conference in Paris. The countries continue to roll out their international pledges to reduce carbon emissions in an attempt to control global warming. I can't believe it, but this is the 21st year they have done this.

I wrote a book once about this, and the last chapter is the longest chapter. It talks about the motivation and why the United Nations wants to get into this thing and what is in it for them.

I think we all know that every time the United Nations does something, it is contrary to the interest of the United States. We write a letter, which is usually a threat to withhold funding, and that really gets them upset. Of course, what they really want is to have something there that they can draw on so that they don't have to be obligated to any of the countries that are participating.

Anyway, this is not the time to get into that, but I am just saying that this is the 21st year they have had this conference, and every year the same thing happens: The 192 countries get in there and they follow the lead of the United States by saying that they are going to be reducing their emissions, and of course it doesn't happen.

In 2009, Copenhagen hosted such a meeting. I remember going over there, and some of the people who attended at that time were Barack Obama, Hillary Clinton, and John Kerry—Clinton and Kerry were in the Senate at that time—BARBARA BOXER, and NANCY PELOSI. They all went over to assure everyone in Copenhagen that the United States was going to pass cap-and-trade legislation.

So I waited until they had all finished their business, and I went over. It was the shortest trip to Europe I had ever taken. I was there 3 hours. I was the one-man truth squad. I said: You have been hearing from all of these leaders, but it is not going to happen. We are not going to pass it. And of course we didn't.

We are going through the same thing now. While the verbal commitments are creating positive press coverage for a lot of people who want to believe this stuff—and the President is seeking to solidify his legacy—most of these pledges are empty and only place the United States in a position of economic hardship, while other countries continue on their current trajectory with CO_2 emissions.

Let's start with India. On Friday we received a report from India. I didn't see it personally until 2 days ago. It was the most recent country to submit its domestic global warming plan. India's plan will cost—and I am stating what they have in the plan they have presented—$2.5 trillion over the next 15 years. Do the math. That is approximately $160 billion a year in costs in order for them to do what is expected of them as a developing country. Their pledge is based on a premise that developed countries—that is us, the United States, always picking up the bills—will pick up these costs by financing the Green Climate Fund.

President Obama has pledged $3 billion to go to the Green Climate Fund, but the Senate and House appropriators have pledged zero, nothing, no money. If you stop and look at one country, such as India, with an estimated cost of $2.5 trillion, $3 billion is such a minuscule fraction, it is not even measurable. That isn't going to happen, and so the President cannot deliver on that promise.

India's approach to addressing its carbon emissions is a continuation of the rich-poor country divide that has plagued the United Nations process in achieving climate agreement from the very start. That is what prompted the Byrd-Hagel resolution of 1997. I remember it so well. I was sitting in this Chamber. I had only been here for 3 years at that time. We all agreed to it. It passed 95 to 0. It was unanimous. Everyone who was in the Chamber at the time voted for it. It said: We are not going to come back. They were really addressing this to Clinton and Gore during their administration. Gore had gone down to see his friends in Central America, I guess it was—I am not sure—to put this thing together. He said: We are going to join you in this commitment to reduce CO_2 emissions.

Well, that sounded good until they came back and they had the Kyoto Convention. They never submitted it to this body because no treaty can be ratified unless it is ratified by the Senate. We never even saw it. What is the reason for that? The reason is they knew it wouldn't pass because the Byrd-Hagel amendment—and several of us were cosponsors of that—said that we won't agree and ratify any convention that comes to us and doesn't treat the developing countries like the developed countries. Unless it does one of two things, we will reject it: one, if it hurts us economically—of course they all do—and two, if China doesn't have to do the same thing we have to do. Well, that is what happened, and of course none of these things have passed.

Now the President is trying to do with regulations what he failed to be able to do through legislation, and we are seeing that every day in the committee that I am fortunate enough to chair, the Environment and Public Works Committee. All of these rules are coming before us, and these rules are a result of things they tried to do legislatively, but they couldn't do—the WOTUS rule.

If you talk to farmers and ranchers in America, they will say that of all the regulations that come from the EPA that are the most damaging to farmers and ranchers, it is the WOTUS rule, and that is the waters of the United States. The Chair is certainly very familiar with this. That means that while we have had State jurisdiction over our water for many years, it had one exception, and that is for navigable waters.

I think all of us who are conservatives would agree that the Federal Government should have jurisdiction over navigable waters because that affects a lot more than just States. So they tried to do that with legislation. That legislation was offered 6 years ago by Senator Feingold of the Senate, who is from Wisconsin, and Congressman Oberstar, who is from Minnesota. Not only did we overwhelmingly defeat their legislation, but we defeated them at the polls in the next election, so it gives you an idea of the unpopularity of this. Since the President was not able to do it with legislation, he tried to do it with regulation. Well, that is the way it is with CO_2 emissions.

So India sent their plan over. They are the third largest CO_2 emitter, only behind China and the United States. Its demand for coal is expected to surpass U.S. consumption by the end of the decade unless the United States helps front India the cash it needs to execute its trillion-dollar climate plan, but that is not happening. As a Member of this body, we will do everything we can to stop it, and we will be successful. We know for a fact that is not what America wants to do.

Now we have China. It has pledged to peak its carbon emissions around 2030 and increase its renewables to 20 percent of the primary energy use. Subsequent to its commitment, China also announced a nationwide cap-and-trade system alongside a newfound partnership between U.S. cities. While all of these commitments—that is, they have partnership cities that say ''We will do it in our State if you do it over there''—they sound good to the media, but the facts don't pan out because it is nothing more than business as usual. At the end of the day, the country gets to increase its emissions for the next 15 years. Here is what they call an agreement that is in the best interest of reducing CO_2 worldwide. Yet they are committing not to reduce but to increase their emissions for the next 15 years, until 2030.

When they first made their commitment—I called it a nonbinding charade because as China's economy has grown, so has its demand for electricity. China is the largest consumer and importer of coal in the world, accounting for 50 percent of global consumption. Fifty percent of the global consumption of coal is in one country—China.

Over the next decade, China is expected to bring a new coal-fired powerplant online every 10 days to give it the electricity it demands. Unlike the United States, China does not have other inexpensive energy sources. Where we in the United States are benefiting from cheap natural gas, China doesn't have the technology and resources to do it, so they can't do that. Even though we have this huge shale revolution in this country where we are producing oil and natural gas—which brings up the other thing we need to do, and that is to do away with the export ban on natural gas and oil. But China doesn't have the technology to do that, so all they can use is coal. And to continue to support the world's largest economy, which China is, China will have no choice but to break its promise of hitting its emission peak by 2030, and that is not going to happen.

Russia has pledged to reduce its carbon emissions between 25 and 30 percent by 2030. Here is the sticking point. Russia made this projection based on its carbon emissions baseline of 1990. By playing with numbers, Russia's commitment will actually allow it to increase emissions between 700 and 900 tons in 2030.

Then there is Mexico, South Korea, and South Africa. All of them will have made pledges not cut emissions but to slow the growth—not to cut emissions but slow the growth. In other words, these countries are committing to increased emissions through 2030. In the meantime, President Obama is committing the United States to cut—not slow the growth but cut—its emissions from 26 to 28 percent by 2025. Nobody knows how they came to those years. There is no plan that we have seen that would do that. But this promise is also just as hollow as what we have been hearing from these other countries that I previously mentioned.

Not only does the President not have the backing of the Senate and the American people, but outside groups are finding that the President's methods to achieve these reductions through climate regulations—primarily the Clean Power Plan—are faulty. According to a recent analysis by the U.S. Chamber, the President's intended nationally determined contribution is about 33 percent short of meeting its stated target. So that is not going to work

On July 8, David Bookbinder, former Sierra Club chief climate counsel, testified before the committee that I chair about his own analysis that has found an even greater gap. It was in this same hearing where it was stated that to close the gap in the President's climate commitment, the United States would likely have to consider regulating other industrial sectors, including agriculture. So it is not just oil and gas and some of these emitters. It is everybody, and it is not going to happen because it can't happen. It doesn't work.

After that committee hearing, I led a letter with 10 other Senators to the President requesting a detailed response for just how the United States intends to meet the pledge of 26- to 28-percent emissions reduction by 2025. It has been 3 months, and we still haven't received a response. So they have been saying this. We are saying: How are you going to do it? Three months have gone by, and we still don't know how he plans to do it.

When we go to these other countries, they assume that America is like they are; if the President says it, he means it, and he is going to try to make it happen. With his pledge to the international community, the President is setting up the American economy to suffer great pain for no gain.

Now, his Clean Power Plan lacks credibility. The EPA does not even bother to assess the minuscule environmental benefits associated with the Clean Power Plan and with the cost of the plan. We are talking about something that would be upwards of $400 billion a year. That is very similar to when they tried to do this with cap-and-trade legislation.

I had the occasion and I do this: Every time I hear a big number, I go back to my State of Oklahoma and I do a calculation. I find out how many families in my State of Oklahoma filed a Federal tax return, and then I do the math. As it turned out, that would cost about $3,000 per family. Now, to some people who believe the world is coming to an end and global warming is causing it, that might sound like: Well, $3,000 a family is not that big a deal. But let's remember—and I would remind the Chair—that it was just a short while ago when Lisa Jackson, who was the President's nominee and eventually became the Director of the EPA, was asked by me on live TV in our committee: If we do pass any of these things, either by regulation or by legislation, will that have the effect of reducing CO_2 emissions worldwide? She said: No, because this isn't where the problem is. It is in China. It is in India and in these other countries that I mentioned before. So we would be doing that. Even if you are a believer in the doom philosophy, we would be doing it in a way that is not going to work.

So despite all the costs they have, the President's climate regulations would only reduce CO_2 concentrations by 0.2 percent. Global average temperature rise would be—would be, I say, not will be but would be—reduced only by .0016 degrees Farenheit. It could not even be measurable. And the sea level rise would be reduced by 0.2 millimeters, which is the thickness of two human hairs.

So it is no wonder the President is working so hard to circumvent

Congress's role in committing the United States to the agreement.

I only say this because we are now getting close to December and we have been through this so many times before, and this isn't going to be any different. There is going to be a difference, and that is that they are not going to attempt to do it by passing legislation. They want to circumvent Congress because they know Congress reports to the people and the people don't want this.

I can remember when global warming—when they had their annual Gallup poll every March. It used to be that when asked what were the critical concerns about America, global warming was always—in 2002, 2003, 2004, and 2005—between first and second place of the greatest concern. Do we know what it is today? Out of 15, it is number 15. So the people have caught on. They know it will be the largest tax increase in history and that it will not accomplish anything.

Mr. President, what is our timing situation?

The PRESIDING OFFICER. There are no time limitations.

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. INHOFE. Mr. President, I wish to make some other comments because something very good happened, and it is not normally the case. We passed the Defense authorization bill. Here we are in the midst of over two decades of wars and we are being challenged on all fronts—from national states to terrorist organizations and extremists to cyber and lone-wolf attacks. Our military is directly engaged in Asia, Africa, Eastern Europe, Syria, Afghanistan, and Iraq, and the demands that this country is placing on them continues to increase. It is greater than anything I have ever seen in the years I have been here and probably the greatest in history in terms of the numbers of threats to America from different countries.

Yesterday we voted to pass the National Defense Authorization Act, or the NDAA, for the 54th consecutive year. I have been worried. The last few years we ended up passing it not this early but passing it in December. If we had gone to December 31 in those years or even in this year, all of a sudden our people wouldn't get hazard pay and they wouldn't get reenlistment bonuses and we couldn't let that happen. So I am glad we did it earlier this year. I think it is the most important bill we pass every year.

It is our constitutional duty to provide oversight over the President and his administration. There is an old wornout document that nobody reads anymore. It is called the Constitution. If we read article I, section 8 of the Constitution, it tells us what we are supposed to be doing—No. 1, defending America, and No. 2, roads and highways. I am very glad we passed the highway bill. It is over in the House, and I am optimistic they will be able to pass it over there as well.

So the Constitution says the most important thing we do is defending America. It is our constitutional duty to do it.

The NDAA contains provisions that take care of military men and women—the pay, the benefits, the bonuses, the new starts, the reenlistment bonuses, military construction, and all of this stuff. This bill addresses things such as additional protections for victims of sexual assault. It is a good bill, and most of the members of this committee have been to the floor today and have talked about.

I just wanted to mention a couple of things that may have been overlooked by some of the other speakers. They should be focusing on accomplishing their missions instead of wondering if this bill authorizes spending priorities critical to our national security and supports the resources requirement of the Department of Defense. While this bill does not contain every provision that the Senate wanted, that I wanted, that the House wanted, and that the President would like to have, the final language is overall good policy for our national defense. It provides authorizations in a timely manner. This vital piece of legislation sets the course for our national security and provides for our Nation's nearly 2.1 million all-volunteer force.

I was a product of the draft many years ago. I have often said that is one of the things that this country probably ought to go back to. We wouldn't have a lot of the problems today if we had to have kids go through the discipline and the appreciation for our country. But nonetheless, this is an all-volunteer force, and it has worked beautifully.

I make it a point, when I go to Afghanistan or Iraq or Africa and these places where we have troops stationed, to sit down in the mess halls, to go out in the field and eat with them or listen to the problems they have and try to boost them up a little bit because they know that under this administration, which I have called the disarming of America, defending America is not the high priority that it should be. This is a time when each service chief, secretary, and combatant commander has testified that no service will be able to meet the wartime requirements under sequestration.

The President and many people in this body wanted sequestration to take place but only for domestic purposes as well as military, and we are saying this is where the problem is. Let's look at Secretary Carter, our Secretary of Defense. He said recently:

> Readiness remains at troubling levels across the force. Even with the fiscal year 2016 budget, the Army, Navy, and Marine Corps won't reach their readiness goals until 2020 and the Air Force until 2023.

At a time when former Secretary Hagel says—listen to this. I don't know why more people in America didn't hear this. This is the Secretary of Defense, Secretary Hagel, who said: ''American dominance in seas, in the skies, and in space can no longer be taken for granted.'' This is America, and people are thinking that the President might even veto this bill.

Admiral Winnefeld, who is Vice Chief of Staff, said: ''There could be for the first time in my career instances where we may be asked to respond to a crisis and we will have to say that we cannot.''

General Dempsey, Chairman of the Joint Chiefs of Staff, says we are putting our military on a path where ''the force is so degraded and so unready'' that it would be ''immoral to use it.''

General Dempsey labels it ''unlike any in his lifetime.''

So the passage of this legislation is absolutely necessary. We have passed it. We have done the responsible thing. And I think we need to be sure that we use full pressure to make sure the President does not veto this bill, because he is toying with a veto.

We have never seen anything like this in the history of this country. We have a level of threat to America, and we are going to have to make sure that we pass this bill. I am very proud that it was passed by the majority in the Senate.

I know I am the last speaker tonight. I suggest the absence of a quorum, just to see if there is any last message that has to be given.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant 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.

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.

RECOGNIZING COASTAL RIDGE ELEMENTARY SCHOOL

Ms. COLLINS. Mr. President, I wish to commend Coastal Ridge Elementary School in York, ME, on being named a 2015 National Blue Ribbon School of Excellence. This year, Coastal Ridge Elementary was one of only 335 schools across the country and one of only two schools from Maine to receive this prestigious recognition of high accomplishment by the U.S. Department of Education.

Created in 1982, the Blue Ribbon Schools Award honors schools that are either academically superior in their States or that demonstrate significant gains in student achievement. The schools singled out for this national recognition are models of high educational standards and accountability.

This award recognizes Coastal Ridge Elementary as a model of excellence and high achievement. The students' success can be attributed to the school's focus on creating a healthy climate where adults model respect and selflessness. Principal Sean Murphy noted that while the award is based on exemplary test scores in math and reading, the school's emphasis on the arts, sciences, and social development has contributed to the students' overall achievement.

I am pleased that the U.S. Department of Education has selected Coastal Ridge Elementary School for this well-deserved honor and congratulate not only the students, but also the administrators, teachers, staff, and parents on this outstanding achievement. Together, they are making a difference in the lives of hundreds of students by helping them become energetic learners and engaged citizens.

RECOGNIZING MINOT CONSOLIDATED SCHOOL

Ms. COLLINS. Mr. President, I wish to commend Minot Consolidated School in Minot, ME, on being named a 2015 National Blue Ribbon School of Excellence. This year, Minot Consolidated was one of only 335 schools across the country and one of only two schools from Maine to receive this prestigious recognition of high accomplishment by the U.S. Department of Education.

Created in 1982, the Blue Ribbon Schools award honors schools that are either academically superior in their States or that demonstrate significant gains in student achievement. The schools singled out for this national recognition are models of high educational standards and accountability.

With just 240 students from prekindergarten to sixth grade, Minot Consolidated takes pride in a strong sense of community that contributes to the success of its students. Staff, families, and community members have come together to create a welcoming school environment where students are challenged, motivated, and rewarded for good work. Self-confidence and personal responsibility are strongly encouraged and have produced positive results for Minot Consolidated's high-achieving student body.

I am pleased that the U.S. Department of Education has selected Minot Consolidated School for this well-deserved honor and congratulate not only the students, but also the administrators, teachers, staff, and parents on this outstanding achievement. Together, they are making a difference in the lives of hundreds of students by helping them become energetic learners and engaged citizens.

ADDITIONAL STATEMENTS

TRIBUTE TO ETHEL LA ROCK AND ANDREW KIM

• Mr. DAINES. Mr. President, I wish to recognize Ethel La Rock and Andrew Kim, two Montana veterans who are also the first two individuals set to be interviewed as part of our office's participation in the Veterans History Project.

The Veterans History Project's mission is to collect, preserve, and make accessible the personal accounts of American wartime veterans, resulting in an incredible resource for researchers, educators, and future generations to hear directly from veterans and to better understand the realities of past wars.

Ethel La Rock retired from the United States Army as a lieutenant colonel in 1976 after 24 years of service. She served as a nurse in Korea and Vietnam. She was awarded the Bronze Star Medal in 1967 for meritorious service in Vietnam, which I had the honor to present to her in August.

Andrew Kim retired from the United States Navy after 25 years of service in 1969 as a chief boatswain's mate. As a 15-year-old, he watched the bombing of Pearl Harbor and then enlisted as soon as he turned 17. His tours of duty included WWII, the Korean conflict, the Cuban Missile Crisis, and the Vietnam war.

Thank you to Ethel and Andy for their service to our Nation and for sharing their stories with the people of Montana.•

TRIBUTE TO JESSICA ANDERSON

• Mr. DAINES. Mr. President, I wish to recognize Jessica Anderson, an outstanding educator at Powell County High School in Deer Lodge, MT.

Ms. Anderson is the epitome of ''leading by example.'' With experience in teaching both prekindergarten through eighth grade and now high school, she has developed a unique teaching style that has inspired countless students.

Her technology-based teaching style has led to her classroom's collaboration with students on opposite sides of the world. She is also a cofounder of #MTedChat on Twitter, where educators can come together to share, collaborate, and challenge each other to improve.

Ms. Anderson's instruction of students both in the classroom and online through the Montana Digital Academy has truly underscored the importance of universal education in our increasingly digital age. Not only am I proud to recognize her today, but also congratulate her on recently being awarded the title of 2016 Montana Teacher of the Year.

I thank her for promoting the educational ideals that Montanans hold so dear and look forward to watching the continual positive influence she will have on Montana's future leaders.•

RECOGNIZING LOCAL MONTANA BREWERIES

• Mr. DAINES. Mr. President, I wish to recognize the achievement of three local Montana breweries. Montana Brewing Company in Billings, Madison River Brewing Company in Belgrade, and KettleHouse Brewing Company in Missoula received medals for their excellent beer this year at the Great American Beer Festival, one of the largest beer festivals in the Nation. Out of more than 6,000 entries, these three great breweries were recognized as having the best beer in a certain category. Madison River Brewing Company received a gold medal in Scottish-style ale for their Cold Smoke, and KettleHouse Brewing Company followed with a silver medal in the same category for their Copper John Scotch Ale. Montana Brewing Company received a bronze medal in Irish-style red ale for their Hooligan's Irish Red Ale.

I would also like to recognize that Montana Brewing Company has received 16 medals since 1998, and KettleHouse Brewing Company has received 3 medals since 2009 at the Great American Beer Festival. The dedication and excellence of all three breweries are an example of Montana as a whole. I applaud their achievements.•

TRIBUTE TO EARLE G. SHETTLEWORTH, JR.

• Mr. KING. Mr. President, today I wish to recognize the outstanding devotion of Earle G. Shettleworth, Jr., who has worked tirelessly to preserve Maine's rich heritage throughout his career. After more than four decades with the Maine Historic Preservation Commission, Earle stepped down as director on October 1, 2015. Despite his retirement and to the delight of the people of Maine, Mr. Shettleworth will continue to hold the esteemed position of Maine's State historian.

Mr. Shettleworth's interest in historic preservation was sparked when he was just 13 years old, after witnessing the destruction of Portland's Union Station. Shortly after this defining event, Mr. Shettleworth became the youngest founding member of Greater Portland Landmarks and has had a distinguished career in public service ever since. Throughout his life, Earle has greatly appreciated architecture and art, which have added to his passion and devotion to preserving Maine's history.

Mr. Shettleworth has served on a wide range of historical commissions and societies, including the Maine Historic Preservation Commission. During his years with the commission, Earle helped designate over 1,500 properties in Maine as historic places in the National Register, and by the time he retired, he was the longest serving State historic preservation officer in the United States.

Mr. Shettleworth holds a bachelor's degree from Colby College and a master's degree from the American and

New England Studies Program at Boston University. He has published dozens of articles and authored numerous books. As a reporter at the Portland Evening Express, Mr. Shettleworth authored a series of 52 articles called ''Portland Heritage,'' which explored the history of the city's notable buildings. Mr. Shettleworth has received honorary doctorates of humane letters from Bowdoin College and the Maine College of Art for his scholarship in the fields of history, historical preservation, and art history.

I would like to join the Maine Historic Preservation Commission and the people of Maine in recognizing and thanking Mr. Shettleworth for his tireless work and dedication to the great State of Maine. Earle not only preserved Maine's history, but also inspired greater public interest in our State's rich heritage. The State of Maine owes Mr. Shettleworth immensely for all his hard work, and we cannot begin to thank him enough. I wish him all the best in his retirement.●

TRIBUTE TO CHIEF PETTY OFFICER MIKEL S. COOK

● Mrs. MURRAY. Mr. President, I wish to recognize yeoman CPO Mikel S. Cook, on the occasion of his retirement from the United States Navy.

In his 22-year career in the United States Navy, yeoman Chief Petty Officer Cook has served with great distinction and made countless sacrifices to our country. I commend him for his service and extraordinary dedication to duty and the United States of America.

Yeoman Chief Petty Officer Cook graduated from boot camp in 1994 from Recruit Training Command in Orlando, FL. Following graduation, he attended Yeoman ''A'' School in Meridian, MS. He reported to his first sea assignment with the Seabees assigned to Naval Mobile Construction Battalion 7. He later reported to the USS Rainier, AOE–7, participating in Operations Southern Watch and Enduring Freedom and earning his enlisted surface and air warfare pins. His final sea assignment was with Fleet Air Reconnaissance Squadron 2 out of Whidbey Island, WA.

Yeoman Chief Petty Officer Cook also served with distinction in a variety of assignments ashore: as executive assistant to the Deputy Chief of Staff—Operations and Intelligence, Supreme Headquarters Allied Powers Europe in Mons, Belgium; and as a naval analyst with the special liaison detachment, North Atlantic Treaty Organization, Brussels, Belgium.

After completing his last sea tour, yeoman Chief Petty Officer Cook reported to his current assignment as congressional liaison in the Navy Appropriations Matters Office, where he helped the Department of the Navy achieve their financial and legislative goals. For 5 years, yeoman Chief Petty Officer Cook has demonstrated exceptional leadership and foresight, engaging Members of the Appropriations Committee and its staff to provide information essential to resourcing the Navy for its role as the world's dominant sea power. In an increasingly difficult budget environment, he provided essential support in shepherding four Navy budgets through the appropriations process, serving our Navy with insight and dedication.

I join my colleagues today in saying thank you to yeoman CPO Mikel S. Cook for his extraordinary dedication to duty and steadfast service to this country throughout his distinguished career in the U.S. Navy. We wish him; his wife, Robyn; and his daughter, Norah, ''Fair Winds and Following Seas'' in his well-deserved retirement.●

TRIBUTE TO JAMES BRUBAKER

● Mr. THUNE. Mr. President, today I recognize Mr. James Brubaker, director of the Department of Veterans Affairs regional offices in Sioux Falls, SD, and Fargo, ND, since 2010. Mr. Brubaker will be retiring from the Department of Veterans Affairs on October 30, 2015, after an accomplished career.

Mr. Brubaker graduated with a bachelor's degree in financial administration from Michigan State University in 1982. He joined the Department of Veterans Affairs in 1987 and has diligently served veterans in offices throughout the Nation. As the director of the Dakotas Veterans Affairs regional offices, he administered benefits for nearly 156,000 veterans in South Dakota, North Dakota, and 15 counties in Minnesota. Under Mr. Brubaker's leadership, the Sioux Falls and Fargo regional offices have maintained an excellent compensation rating related claim-based accuracy of over 95 percent, one of the best ratings in the Nation. This significant achievement demonstrates Mr. Brubaker's management ability and his dedication to serving our Nation's veterans.

I would like to extend my sincere thanks and appreciation to Mr. Brubaker for his fine work. I wish him continued success in the years to come.●

MESSAGES FROM THE HOUSE

At 11:52 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 986. An act to require the Secretary of the Interior to take into trust 4 parcels of Federal land for the benefit of certain Indian Pueblos in the State of New Mexico.

S. 1300. An act to amend the section 221 of the Immigration and Nationality Act to provide relief for adoptive families from immigrant visa fees in certain situations.

S. 2078. An act to reauthorize the United States Commission on International Religious Freedom, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1525. An act to require the Securities and Exchange Commission to make certain improvements to form 10–K and regulation S–K, and for other purposes.

H.R. 1553. An act to amend the Federal Deposit Insurance Act to specify which smaller institutions may qualify for an 18–month examination cycle.

H.R. 1839. An act to amend the Securities Act of 1933 to exempt certain transactions involving purchases by accredited investors, and for other purposes.

H.R. 2091. An act to amend the Fair Credit Reporting Act to clarify the ability to request consumer reports in certain cases to establish and enforce child support payments and awards.

H.R. 2168. An act to make the current Dungeness crab fishery management regime permanent and for other purposes.

H.R. 3102. An act to amend the Homeland Security Act of 2002 to reform programs of the Transportation Security Administration, streamline transportation security regulations, and for other purposes.

H.R. 3510. An act to amend the Homeland Security Act of 2002 to require the Secretary of Homeland Security to develop a cybersecurity strategy for the Department of Homeland Security, and for other purposes.

ENROLLED BILL SIGNED

The President pro tempore (Mr. HATCH) announced that on today, October 7, 2015, he has signed the following enrolled bill, previously signed by the Speaker of the House:

H.R. 2835. An act to actively recruit members of the Armed Forces who are separating from military service to serve as Customs and Border Protection officers.

ENROLLED BILLS SIGNED

At 6:05 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 986. An act to require the Secretary of the Interior to take into trust 4 parcels of Federal land for the benefit of certain Indian Pueblos in the State of New Mexico.

S. 1300. An act to amend the section 221 of the Immigration and Nationality Act to provide relief for adoptive families from immigrant visa fees in certain situations.

S. 2078. An act to reauthorize the United States Commission on International Religious Freedom, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mr. HATCH).

MEASURES REFERRED

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

H.R. 1525. An act to require the Securities and Exchange Commission to make certain improvements to form 10–K and regulation S–K, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 1553. An act to amend the Federal Deposit Insurance Act to specify which smaller institutions may qualify for an 18-month examination cycle; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 1839. An act to amend the Securities Act of 1933 to exempt certain transactions involving purchases by accredited investors, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2091. An act to amend the Fair Credit Reporting Act to clarify the ability to request consumer reports in certain cases to

establish and enforce child support payments and awards; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 2168. An act to make the current Dungeness crab fishery management regime permanent and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 3102. An act to amend the Homeland Security Act of 2002 to reform programs of the Transportation Security Administration, streamline transportation security regulations, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 3510. An act to amend the Homeland Security Act of 2002 to require the Secretary of Homeland Security to develop a cybersecurity strategy for the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2146. A bill to hold sanctuary jurisdictions accountable for defying Federal law, to increase penalties for individuals who illegally reenter the United States after being removed, and to provide liability protection for State and local law enforcement who cooperate with Federal law enforcement and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. VITTER, from the Committee on Small Business and Entrepreneurship, with an amendment in the nature of a substitute:

S. 2116. A bill to improve certain programs of the Small Business Administration to better assist small business customers in accessing broadband technology, and for other purposes.

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. PORTMAN (for himself and Mr. BURR):

S. 2147. A bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 with respect to participant votes on the suspension of benefits under multiemployer plans in critical and declining status; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN (for himself, Mr. BENNET, Mr. BROWN, Mr. CARDIN, Mr. CASEY, Mr. MENENDEZ, Mrs. MURRAY, Mr. NELSON, Ms. STABENOW, Mr. SCHUMER, Mr. SANDERS, Ms. BALDWIN, Mr. LEAHY, Mr. CARPER, Mr. UDALL, Ms. HIRONO, Mr. KING, Ms. MIKULSKI, Mr. COONS, Mr. FRANKEN, and Mr. MERKLEY):

S. 2148. A bill to amend title XVIII of the Social Security Act to prevent an increase in the Medicare part B premium and deductible in 2016; to the Committee on Finance.

By Mr. GRASSLEY (for himself and Mr. FRANKEN):

S. 2149. A bill to amend the Higher Education Opportunity Act to add disclosure requirements to the institution financial aid offer form and to amend the Higher Education Act of 1965 to make such form mandatory; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GRASSLEY (for himself and Mr. FRANKEN):

S. 2150. A bill to amend the Higher Education Act of 1965 to make technical improvements to the Net Price Calculator system so that prospective students may have a more accurate understanding of the true cost of college; to the Committee on Health, Education, Labor, and Pensions.

By Mr. THUNE (for himself and Mr. CASEY):

S. 2151. A bill to amend the Public Health Service Act to provide liability protections for volunteer practitioners at health centers under section 330 of such Act; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CORKER (for himself, Mr. CARDIN, Mr. RUBIO, and Mr. COONS):

S. 2152. A bill to establish a comprehensive United States Government policy to encourage the efforts of countries in sub-Saharan Africa to develop an appropriate mix of power solutions, including renewable energy, for more broadly distributed electricity access in order to support poverty reduction, promote development outcomes, and drive economic growth, and for other purposes; to the Committee on Foreign Relations.

By Mr. GRASSLEY (for himself and Mr. BLUMENTHAL):

S. 2153. A bill to amend title XI of the Social Security Act to require applicable manufacturers to include information regarding payments made to physician assistants, nurse practitioners, and other advance practice nurses in transparency reports submitted under section 1128G of such Act; to the Committee on Finance.

By Mrs. SHAHEEN:

S. 2154. A bill to amend the Internal Revenue Code of 1986 to repeal the percentage depletion allowance for certain hardrock mines; to the Committee on Finance.

By Mrs. BOXER (for herself, Ms. CANTWELL, Mrs. FEINSTEIN, Mr. MERKLEY, Mrs. MURRAY, and Mr. WYDEN):

S. 2155. A bill to amend the Outer Continental Shelf Lands Act to permanently prohibit the conduct of offshore drilling on the outer Continental Shelf off the coast of California, Oregon, and Washington; to the Committee on Energy and Natural Resources.

By Mrs. SHAHEEN:

S. 2156. A bill to amend title 18, United States Code, to provide a criminal penalty for launching drones that interfere with fighting fires affecting Federal property or responding to disasters affecting interstate or foreign commerce, and for other purposes; to the Committee on the Judiciary.

By Mrs. BOXER:

S. 2157. A bill to amend title 18, United States Code, to provide a criminal penalty for operating drones in certain locations, and for other purposes; to the Committee on the Judiciary.

By Mr. LANKFORD:

S. 2158. A bill to amend the Internal Revenue Code of 1986 to repeal the credit for electricity produced from certain renewable resources; to the Committee on Finance.

By Mr. VITTER (for himself and Mr. TILLIS):

S. 2159. A bill to amend title XIX of the Social Security Act to allow for greater State flexibility with respect to excluding providers who are involved in abortions; to the Committee on Finance.

By Mr. KIRK (for himself and Mr. HELLER):

S. 2160. A bill to amend title 10, United States Code, relating to enlistment and consequences of certain service in the Armed Forces, and for other purposes; to the Committee on the Judiciary.

By Mr. REED (for himself, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Mr. FRANKEN, and Ms. WARREN):

S. 2161. A bill to provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residents and for other purposes; to the Committee on the Judiciary.

By Mr. BLUNT (for himself, Mr. SCHUMER, Mr. ROBERTS, Mrs. CAPITO, and Mr. LEAHY):

S. 2162. A bill to establish a 10-year term for the service of the Librarian of Congress; considered and passed.

By Ms. KLOBUCHAR (for herself, Mr. DAINES, and Mr. GARDNER):

S. 2163. A bill to amend title 23, United States Code, to direct the Secretary of Transportation to require that broadband conduits be installed as a part of certain highway construction projects, and for other purposes; to the Committee on Environment and Public Works.

By Mr. WYDEN:

S. 2164. 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; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. VITTER (for himself, Mrs. SHAHEEN, Mrs. FISCHER, Ms. HIRONO, Ms. AYOTTE, Ms. CANTWELL, Mr. GARDNER, Mr. CARDIN, Mr. RISCH, Mr. PETERS, Mr. ENZI, Mr. RUBIO, Mr. MARKEY, and Mr. COONS):

S. Res. 280. A resolution recognizing the month of October 2015 as ''National Women's Small Business Month''; considered and agreed to.

By Ms. STABENOW (for herself and Mr. THUNE):

S. Res. 281. A resolution designating the week of October 5 through October 9, 2015, as ''National Health Information Technology Week'' to recognize the value of health information technology in transforming and improving the healthcare system for all people in the United States; considered and agreed to.

By Mr. SCHATZ:

S. Con. Res. 23. A concurrent resolution supporting the establishment of a bipartisan Museum Study Commission to study the establishment of a National Museum of the American People to tell the immigration and migration stories of all people of the United States; to the Committee on Energy and Natural Resources.

ADDITIONAL COSPONSORS

S. 208

At the request of Mr. JOHNSON, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 208, a bill to require the Secretary of Homeland Security to gain and maintain operational control of the international borders of the United States, and for other purposes.

S. 275

At the request of Mr. ISAKSON, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S.

275, a bill to amend title XVIII of the Social Security Act to provide for the coverage of home as a site of care for infusion therapy under the Medicare program.

S. 377

At the request of Mr. SCHUMER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 377, a bill to amend title XVIII of the Social Security Act to increase access to ambulance services under the Medicare program and to reform payments for such services under such program, and for other purposes.

S. 502

At the request of Mr. LEE, the names of the Senator from Hawaii (Mr. SCHATZ), the Senator from New Mexico (Mr. UDALL), the Senator from New Mexico (Mr. HEINRICH), the Senator from Michigan (Mr. PETERS), the Senator from Oregon (Mr. WYDEN), the Senator from Connecticut (Mr. MURPHY), the Senator from Maine (Mr. KING), the Senator from Massachusetts (Mr. MARKEY), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Vermont (Mr. SANDERS) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 502, a bill to focus limited Federal resources on the most serious offenders.

S. 520

At the request of Mr. CARDIN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 520, a bill to amend the Neotropical Migratory Bird Conservation Act to reauthorize the Act.

S. 628

At the request of Mr. KIRK, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 628, a bill to amend the Public Health Service Act to provide for the designation of maternity care health professional shortage areas.

S. 681

At the request of Mrs. GILLIBRAND, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 681, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 743

At the request of Mr. BOOZMAN, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 743, a bill to amend title 38, United States Code, to recognize the service in the reserve components of the Armed Forces of certain persons by honoring them with status as veterans under law, and for other purposes.

S. 1013

At the request of Mr. SCHUMER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1013, a bill to amend title XVIII of the Social Security Act to provide for coverage and payment for complex rehabilitation technology items under the Medicare program, and for other purposes.

S. 1056

At the request of Mr. CARDIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1056, a bill to eliminate racial profiling by law enforcement, and for other purposes.

S. 1081

At the request of Mr. BOOKER, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1081, a bill to end the use of body-gripping traps in the National Wildlife Refuge System.

S. 1383

At the request of Mr. PERDUE, the name of the Senator from North Dakota (Mr. HOEVEN) 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. 1493

At the request of Mr. ISAKSON, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1493, a bill to provide for an increase, effective December 1, 2015, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

S. 1766

At the request of Mr. SCHATZ, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1766, a bill to direct the Secretary of Defense to review the discharge characterization of former members of the Armed Forces who were discharged by reason of the sexual orientation of the member, and for other purposes.

S. 1915

At the request of Ms. AYOTTE, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 1915, a bill to direct the Secretary of Homeland Security to make anthrax vaccines and antimicrobials available to emergency response providers, and for other purposes.

S. 1945

At the request of Mr. CASSIDY, the names of the Senator from West Virginia (Mrs. CAPITO), the Senator from Arkansas (Mr. BOOZMAN) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of 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.

S. 1979

At the request of Mrs. MURRAY, the name of the Senator from Washington (Ms. CANTWELL) was withdrawn as a cosponsor of 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.

At the request of Mrs. MURRAY, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 1979, supra.

S. 2021

At the request of Mr. BOOKER, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 2021, a bill to prohibit Federal agencies and Federal contractors from requesting that an applicant for employment disclose criminal history record information before the applicant has received a conditional offer, and for other purposes.

S. 2031

At the request of Mr. BARRASSO, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 2031, a bill to reduce temporarily the royalty required to be paid for sodium produced on Federal lands, and for other purposes.

S. 2034

At the request of Mr. TOOMEY, the names of the Senator from Texas (Mr. CORNYN) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of S. 2034, a bill to amend title 18, United States Code, to provide additional aggravating factors for the imposition of the death penalty based on the status of the victim.

S. 2067

At the request of Mr. WICKER, the names of the Senator from Ohio (Mr. BROWN) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 2067, a bill to establish EUREKA Prize Competitions to accelerate discovery and development of disease-modifying, preventive, or curative treatments for Alzheimer's disease and related dementia, to encourage efforts to enhance detection and diagnosis of such diseases, or to enhance the quality and efficiency of care of individuals with such diseases.

S. 2068

At the request of Ms. COLLINS, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2068, a bill to amend the Internal Revenue Code of 1986 to include automated fire sprinkler system retrofits as section 179 property and classify certain automated fire sprinkler system retrofits as 15-year property for purposes of depreciation.

S. 2091

At the request of Mr. SCHUMER, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2091, a bill to amend the Immigration and Nationality Act to stimulate international tourism to the United States, and for other purposes.

S. 2142

At the request of Mr. SANDERS, the name of the Senator from Oregon (Mr.

MERKLEY) was added as a cosponsor of S. 2142, a bill to amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, and for other purposes.

S. 2146

At the request of Mr. VITTER, the names of the Senator from Florida (Mr. RUBIO), the Senator from Wyoming (Mr. BARRASSO), the Senator from Alaska (Mr. SULLIVAN) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 2146, a bill to hold sanctuary jurisdictions accountable for defying Federal law, to increase penalties for individuals who illegally reenter the United States after being removed, and to provide liability protection for State and local law enforcement who cooperate with Federal law enforcement and for other purposes.

S.J. RES. 22

At the request of Mrs. ERNST, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S.J. Res. 22, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to the definition of ''waters of the United States'' under the Federal Water Pollution Control Act.

S. RES. 237

At the request of Mr. BOOZMAN, the names of the Senator from Ohio (Mr. BROWN), the Senator from New Mexico (Mr. HEINRICH), the Senator from Connecticut (Mr. MURPHY) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. Res. 237, a resolution condemning Joseph Kony and the Lord's Resistance Army for continuing to perpetrate crimes against humanity, war crimes, and mass atrocities, and supporting ongoing efforts by the United States Government, the African Union, and governments and regional organizations in central Africa to remove Joseph Kony and Lord's Resistance Army commanders from the battlefield and promote protection and recovery of affected communities.

S. RES. 278

At the request of Mr. GARDNER, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. Res. 278, a resolution welcoming the President of the Republic of Korea on her official visit to the United States and celebrating the United States-Republic of Korea relationship, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Mr. FRANKEN, and Ms. WARREN):

S. 2161. A bill to provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residents and for other purposes; to the Committee on the Judiciary.

Mr. REED. Mr. President, today I am pleased to reintroduce the Liberian Refugee Immigration Fairness Act along with Senators WHITEHOUSE, KLOBUCHAR, WARREN, and FRANKEN.

This bill, which I have introduced every Congress since 1999, seeks to provide a path to citizenship for qualifying Liberian refugees who came here decades ago to escape Liberia's civil wars. Since this time, they have been in our country legally through short term extensions of Temporary Protected Status and Deferred Enforced Departure. After years of uncertainty about whether they will be able to stay in their communities or whether their families will be split up, this bill give eligible Liberians the chance to apply for legal permanent residency, and begin the process of finally becoming citizens.

Similar safeguards were included in the last Comprehensive Immigration Reform bill that the Senate passed, and I look forward to working with my colleagues to provide this critical and long overdue support for our Liberian community.

By Ms. KLOBUCHAR (for herself, Mr. DAINES, and Mr. GARDNER):

S. 2163. A bill to amend title 23, United States Code, to direct the Secretary of Transportation to require that broadband conduits be installed as a part of certain highway construction projects, and for other purposes; to the Committee on Environment and Public Works.

Mr. DAINES. Mr. President, as a fifth generation Montanan, I have seen firsthand the struggles rural America faces when it comes to broadband connectivity. I worked in the cloud computing industry for 13 years, so I also know the opportunities created by technology and connectivity.

Not only does access to broadband connect rural Americans and tribal communities to the rest of the world, but there are many farming applications that will enable farmers in Montana to be more efficient and equip them to feed the growing population. Despite the importance of connecting these communities, Montana remains ranked among the worst States for broadband connectivity and there are too many instances where the Federal Government stands in the way of broadband infrastructure deployment. This is especially important for States like Montana where 29 percent of the State is federally owned. Every Federal agency has their own set of requirements for siting infrastructure on Federal lands, and the process can take up to 10 years in some cases. This burdensome, bureaucratic process is driving industry away from serving rural America and tribal lands.

That is why I am proud to introduce the bipartisan Streamlining and Investing in Broadband Infrastructure act with my colleagues Senator KLOBUCHAR and Senator GARDNER. The bill implements a dig once policy that incorporates broadband conduit installation into new highway projects. It also directs the Federal Government to further consolidate and streamline siting on Federal lands by establishing a fee schedule for the grant of property interests and by developing a master application form for communications construction on all Federal lands. Making effective use of existing resources and streamlining these processes are essential to continue broadband deployment in rural America. By making it easier for providers to lay the groundwork for broadband, we take an important step toward connecting our unserved communities.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 280—RECOGNIZING THE MONTH OF OCTOBER 2015 AS ''NATIONAL WOMEN'S SMALL BUSINESS MONTH''

Mr. VITTER (for himself, Mrs. SHAHEEN, Mrs. FISCHER, Ms. HIRONO, Ms. AYOTTE, Ms. CANTWELL, Mr. GARDNER, Mr. CARDIN, Mr. RISCH, Mr. PETERS, Mr. ENZI, Mr. RUBIO, Mr. MARKEY, and Mr. COONS) submitted the following resolution; which was considered and agreed to:

S. RES. 280

Whereas the Small Business Administration has declared the month of October 2015 to be ''National Women's Small Business Month'' along with the celebration of the anniversary of the signing of the Women's Business Ownership Act of 1988 (Public Law 100–533; 102 Stat. 2689) that established the National Women's Business Council and the Women's Business Center program;

Whereas there are over 9,900,000 women-owned small businesses in the United States;

Whereas women-owned small businesses collected $1,600,000,000,000 in total receipts in 2012, which is an increase of 35 percent since 2007;

Whereas the rate of growth for women-owned employer firms is 3 times that of men-owned employer firms;

Whereas, since 2007, the number of women-owned small businesses in the United States has increased by 2,100,000 and women-owned small businesses have added nearly 1,500,000 more jobs;

Whereas Congress continues to support the National Women's Business Council and the focus of the National Women's Business Council on alleviating obstacles faced by women small business owners and women entrepreneurs; and

Whereas the celebration of ''National Women's Small Business Month'' would honor women small business owners and women entrepreneurs and recognize the significance of their contributions to the small business community: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the month of October 2015 as ''National Women's Small Business Month'';

(2) honors the vital role of women small business owners and women entrepreneurs in the United States during ''National Women's Small Business Month'';

(3) recognizes the significant contributions of women small business owners and women entrepreneurs to the small business community;

(4) supports and encourages young women entrepreneurs to pursue their passions and create more start-up businesses;

(5) recognizes the importance of creating policies that promote a business-friendly environment for small business owners that is free of unnecessary regulations and red tape; and

(6) supports efforts to increase awareness of the value of women-owned small businesses on the economy of the United States.

SENATE RESOLUTION 281—DESIGNATING THE WEEK OF OCTOBER 5 THROUGH OCTOBER 9, 2015, AS ''NATIONAL HEALTH INFORMATION TECHNOLOGY WEEK'' TO RECOGNIZE THE VALUE OF HEALTH INFORMATION TECHNOLOGY IN TRANSFORMING AND IMPROVING THE HEALTHCARE SYSTEM FOR ALL PEOPLE IN THE UNITED STATES

Ms. STABENOW (for herself and Mr. THUNE) submitted the following resolution; which was considered and agreed to:

S. RES. 281

Whereas 2015 celebrates the 10th anniversary of National Health Information Technology Week;

Whereas Congress has emphasized that the use of health information technology is essential to providing coordinated care, expanding access to care, and improving the quality and safety of the mental and physical health of all people in the United States;

Whereas health information technology is essential for improving patient care, ensuring patient safety, stopping duplicative tests and paperwork, and reducing healthcare costs;

Whereas Congress has recognized that the convergence of medical advances, health information technology, and high-speed broadband networks are transforming the delivery of care by bringing the healthcare provider and patient together virtually, especially those in disadvantaged populations and geographies;

Whereas by 2020, the market segment for the healthcare-related Internet of Things, which allows data to move among people, sensors, and machines, is expected to approach $120,000,000,000;

Whereas personalized medicine is an important emerging healthcare topic that includes the tailoring of medicines and treatments to the unique genetic blueprint and lifestyle and environmental data of each patient and comparing that information to the information of other individuals to predict illness and determine best treatments;

Whereas Congress has recognized and taken action to modernize regulations so as to grow the health information technology market, improve the health of all people in the United States, create high-demand jobs, and stimulate market innovation; and

Whereas it is necessary to continue activities that are foundational to the transformation of healthcare delivery in the United States, including—

(1) innovation in health information technology;

(2) opening interoperability between systems and devices; and

(3) the exchange of health information confidently and securely among different providers, systems, and insurers: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of October 5 through October 9, 2015, as ''National Health Information Technology Week'';

(2) recognizes the value of information technology and management systems in transforming healthcare for the people of the United States;

(3) encourages all interested parties to promote the use of information technology and management systems to transform the healthcare system of the United States; and

(4) calls on all people to be engaged in their mental and physical health through the use of health information technology.

SENATE CONCURRENT RESOLUTION 23—SUPPORTING THE ESTABLISHMENT OF A BIPARTISAN MUSEUM STUDY COMMISSION TO STUDY THE ESTABLISHMENT OF A NATIONAL MUSEUM OF THE AMERICAN PEOPLE TO TELL THE IMMIGRATION AND MIGRATION STORIES OF ALL PEOPLE OF THE UNITED STATES

Mr. SCHATZ submitted the following concurrent resolution; which was referred to the Committee on Energy and Natural Resources:

S. CON. RES. 23

Whereas the United States was founded and built by people from every country who made the United States the economic, military, scientific, and cultural leader of the world;

Whereas as of October 2015, there is no national museum in Washington, DC, that—

(1) celebrates the making of the people of the United States; or

(2) tells the migration history of any group of people to or within the United States;

Whereas a National Museum of the American People would—

(1) recount the history of all groups of people who came to the United States and the contributions of those people to the United States;

(2) have the theme *E Pluribus Unum*, the original motto of the United States;

(3) celebrate every ethnic and minority group in the United States;

(4) foster a sense of belonging to the United States;

(5) contribute to a common national identity as people of the United States;

(6) highlight the Declaration of Independence and the Constitution, the founding documents of the United States;

(7) explore the ways in which those documents shaped the character of the people of the United States and infused the people of the United States with common values; and

(8) be a resource for State, local, and ethnic museums throughout the United States that present exhibits that celebrate the heritage of the people of the United States;

Whereas the people of the United States do not have a comprehensive and accurate picture of the history of all of the people who founded and continue to build the United States;

Whereas people from every ethnic group in the United States would visit a National Museum of the American People to learn their own history and the history of every other ethnic group in the United States;

Whereas a National Museum of the American People would attract foreign visitors and dignitaries because few foreigners know the story of the individuals who—

(1) became citizens of the United States at the founding of the country; and

(2) migrated to the United States from other countries;

Whereas a museum that tells the story of the making of the people of the United States and celebrates all individuals who migrated and settled in the United States and the territories of the United States belongs near the National Mall in Washington, DC;

Whereas Canada and Mexico have major popular museums in, or adjacent to, the capital cities of those countries that tell the story of the making of the people of Canada and Mexico, respectively;

Whereas the goals of a National Museum of the American People would be—

(1) to be the best storytelling museum in the world;

(2) to recount 1 of the most amazing stories in human history;

(3) to celebrate all of the people who have become people of the United States; and

(4) to foster learning at the museum and throughout the United States;

Whereas non-Federal funding sources will be sought to defray the costs of a Museum Study Commission to study the establishment of a National Museum of the American People and the funding will commence on the date on which the President signs an Executive order creating the bipartisan commission;

Whereas no Federal appropriations will be sought to provide funding for—

(1) the design, construction, or operation a National Museum of the American People; or

(2) the exhibitions or components of the museum; and

Whereas the National Museum of the American People will benefit all people of the United States: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress supports the establishment of a bipartisan Museum Study Commission to study the establishment of a National Museum of the American People to tell the immigration and migration stories of all people of the United States, if none of the funding to plan, construct, or operate the museum is from Federal appropriations.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on October 7, 2015, at 9:30 a.m.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on October 7, 2015, at 10 a.m., in room SR–253 of the Russell Senate Office Building to conduct a hearing entitled, ''Removing Barriers to Wireless Broadband Deployment.''

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on October 7, 2015, at 9:30 a.m., in room SD–406 of the Dirksen Senate Office Building, to conduct a hearing entitled, ''Oversight of the Nuclear Regulatory Commission.''

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on October 7, 2015, at 10 a.m.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on October 7, 2015, in room SD–628 of the Dirksen Senate Office Building, at 2:15 p.m.

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

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on October 7, 2015, at 11 a.m., in room SR–428A of the Russell Senate Office Building.

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

SPECIAL COMMITTEE ON AGING

Mr. CORNYN. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on October 7, 2015, at 2 p.m., in room SD–562 of the Dirksen Senate Office Building to conduct a hearing entitled ''Protecting Seniors from Identity Theft: Is the Federal Government Doing Enough?''

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

SUBCOMMITTEE ON ANTITRUST, COMPETITION POLICY, AND CONSUMER RIGHTS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Antitrust, Competition Policy, and Consumer Rights, be authorized to meet during the session of the Senate, on October 7, 2015, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''S. 2102, The 'Standard Merger and Acquisition Reviews Through Equal Rules Act of 2015'.''

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

SUBCOMMITTEE ON EAST ASIA, THE PACIFIC, AND INTERNATIONAL CYBERSECURITY POLICY

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy be authorized to meet during the session of the Senate on October 7, 2015, at 2:30 p.m., to conduct a hearing entitled ''Assessing the North Korea Threat and U.S. Policy: Strategic Patience or Effective Deterrence?''

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

TRANSNATIONAL DRUG TRAFFICKING ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 232, S. 32.

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

The senior assistant legislative clerk read as follows:

A bill (S. 32) to provide the Department of Justice with additional tools to target extraterritorial drug trafficking activity, and for other purposes.

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

Mr. MCCONNELL. 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.

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

The bill (S. 32) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 32

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 ''Transnational Drug Trafficking Act of 2015''.

SEC. 2. POSSESSION, MANUFACTURE OR DISTRIBUTION FOR PURPOSES OF UNLAWFUL IMPORTATIONS.

Section 1009 of the Controlled Substances Import and Export Act (21 U.S.C. 959) is amended—

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

(2) in subsection (a), by striking ''It shall'' and all that follows and inserting the following: ''It shall be unlawful for any person to manufacture or distribute a controlled substance in schedule I or II or flunitrazepam or a listed chemical intending, knowing, or having reasonable cause to believe that such substance or chemical will be unlawfully imported into the United States or into waters within a distance of 12 miles of the coast of the United States.

''(b) It shall be unlawful for any person to manufacture or distribute a listed chemical—

''(1) intending or knowing that the listed chemical will be used to manufacture a controlled substance; and

''(2) intending, knowing, or having reasonable cause to believe that the controlled substance will be unlawfully imported into the United States.''.

SEC. 3. TRAFFICKING IN COUNTERFEIT GOODS OR SERVICES.

Chapter 113 of title 18, United States Code, is amended—

(1) in section 2318(b)(2), by striking ''section 2320(e)'' and inserting ''section 2320(f)''; and

(2) in section 2320—

(A) in subsection (a), by striking paragraph (4) and inserting the following:

''(4) traffics in a drug and knowingly uses a counterfeit mark on or in connection with such drug,'';

(B) in subsection (b)(3), in the matter preceding subparagraph (A), by striking ''counterfeit drug'' and inserting ''drug that uses a counterfeit mark on or in connection with the drug''; and

(C) in subsection (f), by striking paragraph (6) and inserting the following:

''(6) the term 'drug' means a drug, as defined in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).''.

SOCIAL MEDIA WORKING GROUP ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 234, H.R. 623.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 623) to amend the Homeland Security Act of 2002 to authorize the Department of Homeland Security to establish a social media working group, and for other purposes.

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 an amendment to strike all after the enacting clause and insert in lieu thereof the following:

H.R. 623

SECTION 1. SHORT TITLE.

This Act may be cited as the ''DHS Social Media Improvement Act of 2015''.

SEC. 2. SOCIAL MEDIA WORKING GROUP.

(a) IN GENERAL.—Title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.) is amended by adding at the end the following:

''SEC. 318. SOCIAL MEDIA WORKING GROUP.

''(a) ESTABLISHMENT.—The Secretary shall establish within the Department a social media working group (in this section referred to as the 'Group').

''(b) PURPOSE.—In order to enhance the dissemination of information through social media technologies between the Department and appropriate stakeholders and to improve use of social media technologies in support of preparedness, response, and recovery, the Group shall identify, and provide guidance and best practices to the emergency preparedness and response community on, the use of social media technologies before, during, and after a natural disaster or an act of terrorism or other man-made disaster.

''(c) MEMBERSHIP.—

''(1) IN GENERAL.—Membership of the Group shall be composed of a cross section of subject matter experts from Federal, State, local, tribal, territorial, and nongovernmental organization practitioners, including representatives from the following entities:

''(A) The Office of Public Affairs of the Department.

''(B) The Office of the Chief Information Officer of the Department.

''(C) The Privacy Office of the Department.

''(D) The Federal Emergency Management Agency.

''(E) The Office of Disability Integration and Coordination of the Federal Emergency Management Agency.

''(F) The American Red Cross.

''(G) The Forest Service.

''(H) The Centers for Disease Control and Prevention.

''(I) The United States Geological Survey.

''(J) The National Oceanic and Atmospheric Administration.

''(2) CHAIRPERSON; CO-CHAIRPERSON.—

''(A) CHAIRPERSON.—The Secretary, or a designee of the Secretary, shall serve as the chairperson of the Group.

''(B) CO-CHAIRPERSON.—The chairperson shall designate, on a rotating basis, a representative from a State or local government who is a member of the Group to serve as the co-chairperson of the Group.

''(3) ADDITIONAL MEMBERS.—The chairperson shall appoint, on a rotating basis, qualified individuals to the Group. The total number of such additional members shall—

''(A) be equal to or greater than the total number of regular members under paragraph (1); and

''(B) include—

''(i) not fewer than 3 representatives from the private sector; and

''(ii) representatives from—

''(I) State, local, tribal, and territorial entities, including from—

''(aa) law enforcement;

''(bb) fire services;

''(cc) emergency management; and

''(dd) public health entities;

''(II) universities and academia; and

''(III) nonprofit disaster relief organizations.

''(4) TERM LIMITS.—The chairperson shall establish term limits for individuals appointed to the Group under paragraph (3).

''(d) CONSULTATION WITH NON-MEMBERS.—To the extent practicable, the Group shall work with entities in the public and private sectors to carry out subsection (b).

''(e) MEETINGS.—

''(1) INITIAL MEETING.—Not later than 90 days after the date of enactment of this section, the Group shall hold its initial meeting.

''(2) SUBSEQUENT MEETINGS.—After the initial meeting under paragraph (1), the Group shall meet—

''(A) at the call of the chairperson; and

''(B) not less frequently than twice each year.

''(3) VIRTUAL MEETINGS.—Each meeting of the Group may be held virtually.

''(f) REPORTS.—During each year in which the Group meets, the Group shall submit to the appropriate congressional committees a report that includes the following:

''(1) A review and analysis of current and emerging social media technologies being used to support preparedness and response activities related to natural disasters and acts of terrorism and other man-made disasters.

''(2) A review of best practices and lessons learned on the use of social media technologies during the response to natural disasters and acts of terrorism and other man-made disasters that occurred during the period covered by the report at issue.

''(3) Recommendations to improve the Department's use of social media technologies for emergency management purposes.

''(4) Recommendations to improve public awareness of the type of information disseminated through social media technologies, and how to access such information, during a natural disaster or an act of terrorism or other man-made disaster.

''(5) A review of available training for Federal, State, local, tribal, and territorial officials on the use of social media technologies in response to a natural disaster or an act of terrorism or other man-made disaster.

''(6) A review of coordination efforts with the private sector to discuss and resolve legal, operational, technical, privacy, and security concerns.

''(g) DURATION OF GROUP.—

''(1) IN GENERAL.—The Group shall terminate on the date that is 5 years after the date of enactment of this section unless the chairperson renews the Group for a successive 5-year period, prior to the date on which the Group would otherwise terminate, by submitting to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a certification that the continued existence of the Group is necessary to fulfill the purpose described in subsection (b).

''(2) CONTINUED RENEWAL.—The chairperson may continue to renew the Group for successive 5-year periods by submitting a certification in accordance with paragraph (1) prior to the date on which the Group would otherwise terminate.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 317 the following:

''Sec. 318. Social media working group.''.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the committee-reported substitute 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 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. 623), as amended, was passed.

LIBRARIAN OF CONGRESS SUCCESSION MODERNIZATION ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2162, introduced earlier today.

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

The senior assistant legislative clerk read as follows:

A bill (S. 2162) to establish a 10-year term for the service of the Librarian of Congress.

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

Mr. MCCONNELL. I ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be laid upon the table.

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

The bill (S. 2162) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2162

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 ''Librarian of Congress Succession Modernization Act of 2015''.

SEC. 2. APPOINTMENT AND TERM OF SERVICE OF LIBRARIAN OF CONGRESS.

(a) IN GENERAL.—The President shall appoint the Librarian of Congress, by and with the advice and consent of the Senate.

(b) TERM OF SERVICE.—The Librarian of Congress shall be appointed for a term of 10 years.

(c) REAPPOINTMENT.—An individual appointed to the position of Librarian of Congress, by and with the advice and consent of the Senate, may be reappointed to that position in accordance with subsections (a) and (b).

(d) EFFECTIVE DATE.—This section shall apply with respect to appointments made on or after the date of the enactment of this Act.

SEC. 3. CONFORMING AMENDMENT.

The first paragraph under the center heading ''LIBRARY OF CONGRESS'' under the center heading ''LEGISLATIVE'' of the Act entitled ''An Act Making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes'', approved February 19, 1897 (29 Stat. 544, chapter 265; 2 U.S.C. 136), is amended by striking ''to be appointed by the President, by and with the advice and consent of the Senate,''.

NATIONAL DYSLEXIA AWARENESS MONTH

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 275.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 275) calling on Congress, schools, and State and local educational agencies to recognize the significant educational implications of dyslexia that must be addressed and designating October 2015 as ''National Dyslexia Awareness Month.''

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

Mr. MCCONNELL. 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.

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

The resolution (S. Res. 275) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of October 1, 2015, under ''Submitted Resolutions.'')

NATIONAL WOMEN'S SMALL BUSINESS MONTH

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 280, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 280) recognizing the month of October 2015 as ''National Women's Small Business Month.''

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

Mr. MCCONNELL. 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. 280) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

NATIONAL HEALTH INFORMATION TECHNOLOGY WEEK

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 281.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 281) designating the week of October 5 through October 9, 2015, as ''National Health Information Technology Week'' to recognize the value of health information technology in transforming and improving the healthcare system for all people in the United States.

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

Mr. MCCONNELL. Mr. President, I know of no further debate on the resolution.

The PRESIDING OFFICER. Hearing no further debate, the question is on agreeing to the resolution.

The resolution (S. Res. 281) was agreed to.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the preamble be agreed to and the motions to reconsider be laid upon the table.

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

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

PROVIDING FOR CORRECTIONS TO THE ENROLLMENT OF H.R. 1735

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 81, which is at the desk.

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. 81) providing for corrections to the enrollment of the bill H.R. 1735.

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 and the motion to reconsider be laid upon the table with no intervening action or debate.

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

The concurrent resolution (H. Con. Res. 81) was agreed to.

ORDERS FOR THURSDAY, OCTOBER 8, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, October 8; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate be in a period of morning business until 10:45 a.m., with the time equally divided between the two leaders or their designees, with Senators permitted to speak therein for up to 10 minutes each; that at 10:45 a.m., the Senate resume consideration of the motion to proceed to H.R. 2028; that the time from 10:45 a.m. until 11:30 a.m. be controlled by the majority, that the time between 11:30 a.m. and 12:15 p.m. be controlled by the Democrats, and that the time between 12:15 p.m. and 12:45 p.m. be equally divided between the two leaders or their designees; further, that notwithstanding the provisions of rule XXII, the vote on the motion to invoke cloture on the motion to proceed to H.R. 2028 occur at 12:45 p.m. on Thursday, October 8.

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

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:53 p.m., adjourned until Thursday, October 8, 2015, at 9:30 a.m.