

Long Range Strike Bomber, the Ford-class aircraft carrier, and the littoral combat ship. These provisions will ensure accountability for results, promote transparency, protect taxpayers, and drive the Department to deliver our warfighters the capabilities they need on time, as promised, and at reasonable costs.

The NDAA also upholds America's commitment to its allies and partners. It authorizes \$3.4 billion to support our Afghan partners as they fight to preserve the gains of the last 15 years and defeat the terrorists who seek to destabilize the region and attack American interests. The legislation provides \$1.3 billion for counter-ISIL operations. The NDAA fully supports the European Reassurance Initiative to increase the capability and readiness of U.S. and NATO forces to deter and, if necessary, respond to Russian aggression. It also authorizes up to \$500 million in security assistance to Ukraine, including lethal assistance. We should give the Ukrainian people the ability to defend themselves. Finally, the legislation includes \$239 million for U.S.-Israel cooperative missile defense programs.

As we continue to support allies and partners against common threats, the NDAA makes major reforms to the Pentagon's complex and unwieldy security cooperation enterprise, which has complicated the Department of Defense's ability to effectively prioritize, plan, execute, and oversee these activities.

This legislation also makes sure we are not providing support to adversaries like Russia. The United States' assured access to space continues to rely on Russian rocket engines. Purchasing these engines provides a financial benefit to Vladimir Putin's cronies, including individuals who have been sanctioned by the United States, and it subsidizes the Russian military industrial base. This is unacceptable at a time when Russia continues to occupy Crimea, destabilize Ukraine, menace our NATO allies, violate the 1987 Intermediate-Range Nuclear Forces Treaty, and bomb moderate rebels in Syria. That is why the NDAA repeals a provision from last year's Omnibus appropriations bill that furthered dependence on Russia.

Once the nine Russian rocket engines allowed by the past two NDAs are expended, the Defense Department would be required to achieve assured access to space without the use of rocket engines designed or manufactured in Russia. In testimony before the committee, the Secretary of Defense, the Director of National Intelligence, and the Secretary of the Air Force each confirmed that the United States can meet its assured access to space requirements without the use of Russian rocket engines.

We do not have to rely on Russia for access to space. Given the urgency of eliminating reliance on Russian engines, the NDAA will allow for up to half of the funds for the development of

a replacement launch vehicle or propulsion system to be made available for offsetting any potential increase in launch costs as a result of prohibitions on Russian rocket engines. With \$1.2 billion budgeted over the next 5 years, we can cover the costs of ending our reliance on Russia while developing the next generation of American space launch capabilities.

Finally, the legislation takes several steps to bolster border security and homeland defense. It authorizes \$688 million for Department of Defense counterdrug programs. It enhances information sharing and operational coordination between the Department of Defense and the Department of Homeland Security. It provides additional support for the U.S. Southern Command, and it continues support for the U.S.-Israel anti-tunneling cooperation program, which helps to improve our efforts to restrict the flow of drugs across the U.S. southern border.

I say to my colleagues: This is an ambitious piece of legislation, and it is one that reflects the growing threats to our Nation. Everything about the NDAA is threat driven—everything, that is, but its top line of \$602 billion. That is an arbitrary figure set by last year's budget agreement, having nothing to do with events in the world, and which itself was a product of 5 years of letting politics, not strategy, determine the level of funding for our national defense. Former Chairman of the Joint Chiefs GEN Martin Dempsey described last year's defense budget as "the lower ragged edge of manageable risks." Yet here we are 1 year later with defense spending arbitrarily capped at \$17 billion below what our military needed and planned for last year. I don't know what lies beneath the lower ragged edge of manageable, but this is what I fear it means—that our military is becoming less and less able to deter conflict and that if, God forbid, deterrence does fail somewhere and we end up in conflict, our Nation will deploy young Americans into battle without sufficient training or equipment to fight a war that will take longer, be larger, cost more, and ultimately claim more American lives than it otherwise would have.

That is the growing risk we face, and for the sake of the men and women serving in our military, we cannot change course soon enough. The Senate will have the opportunity to do just that when we consider my amendment to reverse the budget-driven cuts to the capabilities of our Armed Forces that are needed to defend the Nation. I hope we will seize this opportunity.

We ask a lot of our men and women in uniform, and they never let us down. We must not let them down. As we move forward with consideration of the NDAA, I stand ready to work with my colleagues on both sides of the aisle to pass this important legislation and give our military the resources they need and deserve.

Again, I note the presence of my esteemed colleague and friend, the rank-

ing member of the Armed Services Committee, without whom this legislation would not have been possible. It happens to be a source of great pride to me—and I hope to Americans who believe that we are bitterly divided—that as an example of defending this Nation and providing for men and women whom we send into harm's way, the Senator from Rhode Island and I have developed a partnership that I believe has been incredibly productive. Without the kind of partnership that I have enjoyed with my friend from Rhode Island, it would not have been possible to produce this legislation, which is obviously the most important obligation we have, and that is to defend the Nation.

Madam President, I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017

The PRESIDING OFFICER. Under the previous order, the motion to proceed to S. 2943 is agreed to.

The clerk will report the bill.

The senior assistant legislative clerk read as follows:

A bill (S. 2943) to authorize appropriations for fiscal year 2017 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. The Senator from Arizona.

AMENDMENT NO. 4206

Mr. MCCAIN. Madam President, I call up amendment No. 4206.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN], for Mrs. FISCHER, proposes an amendment numbered 4206.

The amendment is as follows:

(Purpose: To modify the requirement that the Secretary of Defense implement measures to maintain the critical wartime medical readiness skills and core competencies of health care providers within the Armed Forces)

On page 423, strike lines 16 and 17 and insert the following:

(a) IN GENERAL.—Except as provided in subsection (c), not later than 90 days after submitting the report required by subsection (d), or one year after the date of the enactment of this Act, whichever occurs first, the Secretary of Defense

On page 425, strike lines 10 through 18 and insert the following:

(5) The Secretary shall ensure that any covered beneficiary who may be affected by modifications, reductions, or eliminations implemented under this section will be able to receive through the purchased care component of the TRICARE program any medical services that will not be available to such covered beneficiary at a military treatment facility as a result of such modifications, reductions, or eliminations.

(c) EXCEPTION.—The Secretary is not required to implement measures under subsection (a) with respect to overseas military health care facilities in a country if the Secretary determines that medical services in addition to the medical services described in subsection (b)(2) are necessary to ensure that covered beneficiaries located in that country have access to a similar level of care available to covered beneficiaries located in the United States.

(d) REPORT ON MODIFICATIONS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the modifications to medical services, military treatment facilities, and personnel in the military health system to be implemented pursuant to subsection (a).

(2) ELEMENTS.—The report required by paragraph (1) shall include, at a minimum, the following:

(A) A description of the medical services and associated personnel capacities necessary for the military medical force readiness of the Department of Defense.

(B) A comprehensive plan to modify the personnel and infrastructure of the military health system to exclusively provide medical services necessary for the military medical force readiness of the Department of Defense, including the following:

(i) A description of the planned changes or reductions in medical services provided by the military health system.

(ii) A description of the planned changes or reductions in staffing of military personnel, civilian personnel, and contractor personnel within the military health system.

(iii) A description of the personnel management authorities through which changes or reductions described in clauses (i) and (ii) will be made.

(iv) A description of the planned changes to the infrastructure of the military health system.

(v) An estimated timeline for completion of the changes or reductions described in clauses (i), (ii), and (iv) and other key milestones for implementation of such changes or reductions.

(e) COMPTROLLER GENERAL REPORT.—

On page 428, between lines 15 and 16, insert the following:

(3) The terms “covered beneficiary” and “TRICARE program” have the meanings given those terms in section 1072 of title 10, United States Code.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, I rise to discuss the fiscal year 2017 national defense authorization bill, which was passed out of the Armed Services Committee on May 19 by a vote of 23 to 3.

I want to begin by thanking Chairman McCain, not only for his kind and thoughtful words but for ably leading the committee through many thought-provoking hearings and a successful markup with bipartisan support of the bill. I believe the committee has worked diligently in the past month, not only to evaluate the President's budget request for fiscal year 2017 but also to take a hard look at the Department of Defense and to consider what reforms are necessary. Most, if not all, of that effort is a direct result of the leadership of Chairman McCain and his commitment to ensuring that we were thoroughly immersed in the details,

that we had access to expert testimony, and that we heard both sides of the argument and led to the markup, which was productive and has resulted in the legislation that is before us today.

I think we both agree that we can make improvements, and we both will strive to do that over the course of the next several weeks and in our deliberation with the House, but we are beginning with very thoughtful and very constructive legislation that we brought to the floor. I thank the chairman for that.

There are many provisions in this bill that will help the Department today and in the future. It is a lengthy bill that contains sweeping reforms, as the chairman described in some detail, and I support many aspects of this bill. In fact, I was privileged to work with the chairman and our staffs in developing some of these aspects. Because of the scope and because of the range of these improvements and reforms, I believe—and I think this is shared by others—that we need a continued dialogue with the Department of Defense and other experts to ensure that we not only take the first steps but that the subsequent consequences, both intended and unintended, are well known and contribute to our overall national security. We truly must ensure that our decisions which are ultimately incorporated in this legislation improve the Department's operations and do not create unnecessary and detrimental consequences.

Let me highlight some of the aspects of the bill that will help our military in ongoing overseas operations.

We are engaged in a difficult struggle with ISIL and radical extremists, and critical to our efforts to fight against ISIL are our local partners. That is why this bill includes \$1.3 billion to support the Iraq and Syria train-and-equip programs and \$180 million to support the efforts of Jordan and Lebanon to secure their borders.

The bill also includes \$3.4 billion for the Afghanistan Security Forces Fund to preserve the gains of the last 15 years. These are critical investments that enhance our interests and keep pressure on our enemy.

The bill provides the funds necessary to enable our operations across Iraq, Syria, Yemen, Somalia, and other locations where ISIL, Al Qaeda, and its remnants are located. This funding will continue to enable the Department to hunt the leaders of these organizations and illuminate their network of supporters. Ensuring that there is continuous pressure on violent extremists is critical, and it is with that focus that the chairman and I worked to include these important elements in the legislation.

The bill funds U.S. Special Operations Command, or SOCOM, at the requested level of \$10.76 billion, including an increase of \$26.7 million to help address technology gaps identified by SOCOM on its fleet of MQ-9 Reaper un-

manned aerial vehicles, which are important to our ability to effectively carry out counterterrorism strikes while avoiding collateral damage. The bill also extends critical authorities used by special operations forces and enhances the role of the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict in providing oversight and advocacy for SOCOM within the Department.

The fight against terrorism is not our fight alone, and it requires the support of old and new partners across the globe. This bill will enable the Department of Defense to support and enable our foreign partners and also, critically, will continue to provide support to our intelligence community to protect the homeland.

Of major significance, this year's bill would undertake the most comprehensive reform of the Defense Department's security cooperation enterprise in decades. Since 9/11, Congress, partly at the request of the Department and partly through our own doing, has created dozens of new authorities to enable our Armed Forces to engage with the national security forces of friendly foreign countries. This patchwork has been difficult to navigate and oversee. To address this problem, this bill would consolidate and streamline security cooperation authorities. This will greatly enhance the Defense Department's ability to address the wide-ranging and evolving nature of global threats.

Additionally, the NDAA consolidates roughly \$2 billion in security cooperation funding into a new fund, the Security Cooperation Enhancement Fund. This new fund will enhance public transparency, increase flexibility, and improve congressional oversight.

While the Department of Defense is responsible for only two of the administration's nine lines of effort against ISIL—and this bill funds those two lines of effort—DOD also plays an essential enabling role for many other parts of our government, particularly in the areas of intelligence collection and analysis. This bill ensures the Department is able to continue this critical support so we can maintain an integrated effort against our enemy. The Department of Defense is not the only Federal agency that is responsible for our Nation's security. All agencies have a role and should receive the resources they need.

The bill before us also includes \$3.4 billion for the European Reassurance Initiative, which will deliver critical investments to increase U.S. military presence in Europe, improve existing infrastructure, and enhance allied and partner military capabilities to respond to external aggression and bolster regional stability. It also authorizes up to \$500 million for the Ukraine Security Assistance Initiative to continue the ongoing efforts to support the Ukrainian security forces in the defense of their country.

One major concern the committee heard repeatedly, and the chairman

made reference to on numerous occasions, is about the state of readiness with our troops and their equipment. I am very pleased that this bill contains almost \$2 billion in additional readiness funding to satisfy some of the Service Chiefs' unfunded requirements, with the goal of restoring military readiness as soon as possible. Additionally, all of these increases are paid for with corresponding and targeted funding reductions.

One other aspect of our national security is our nuclear deterrent. In many cases, it forms the bedrock of our defense posture. This is an essential mission which must not be neglected and our committee continues to support it on a bipartisan basis.

The bill continues to fund the President's request to modernize our triad of nuclear-capable air, sea, and ground delivery platforms. This is the first year of full engineering, manufacturing, and development funding for the B-21, which will replace the B-52s that were built in the 1960s. While the B-21 will be costly, I believe this bill places rigorous oversight on the program to ensure that we understand the technology risk as it moves forward.

Turning to the area of undersea deterrence, if we are to maintain a sea-based deterrent, the current fleet of 14 Ohio-class submarines must be replaced starting in 2027 due to the potential for hull fatigue. By then, the first Ohio submarine will be 46 years old—the oldest submarine to have sailed in our Navy in its history.

The third aspect of our triad, our land-based ICBMs, will not need to be replaced until the 2030s. We have authorized the initial development of a replacement for this responsive leg of the triad, which acts as a counterbalance to Russian ICBMs.

Let me focus for a moment on the submarine program, which is frankly an important part of our national security and an important industry for my home State where this construction begins. This bill supports the Virginia-class attack submarine production at a level of two per year. The Navy's requirement for attack submarines is a force of 48 boats. Since attack submarine force levels will fall below 48, even with the purchase of two Virginia-class submarines per year, we cannot allow the production rates to drop at all.

The bill also supports the Virginia Payload Module upgrade to the Virginia-class submarines, with production starting in fiscal year 2019. The Virginia Payload Module program is important to begin replacing Tomahawk missile magazine capacity that will decline sharply as we retire the Navy's four guided missile submarines in the next decade.

Our support of the Virginia-class attack submarine program has led to stability that helped drive down costs and improve productivity. This bill continues that support and also supports the plans for achieving similar effec-

tiveness on the Ohio replacement program. Establishing and achieving cost reduction goals in these Virginia-class and Ohio replacement programs will yield significant stability to our Nation's submarine base, which will ensure the Navy has a modern, capable submarine fleet for many years to come.

The chairman also indicated in his remarks that the bill accomplishes much on behalf of our servicemembers and the Department of Defense. It authorizes a 1.6 percent pay raise for all servicemembers and reauthorizes a number of expiring bonus and special pay authorities to encourage enlistment, re-enlistment, and continued service by active duty and reserve component military personnel. The bill permanently extends the Special Survivor Indemnity Allowance scheduled to expire next year, clarifies the applicability of certain employment rights for military technicians, establishes an independent National Commission on Military, National, and Public Service to review the Selective Service process, and makes numerous enhancements to military whistleblower protections.

Notably, this bill also contains a robust package of health care reforms. The current military health care system, designed decades ago, has served us well. Since 2001, battlefield survival rates have been higher than at any time in our Nation's history. Clearly, battlefield medicine is a pocket of excellence in the military health system that must be maintained. However, it is also clear that the military health care system has increasingly emphasized delivering peacetime healthcare, and beneficiaries have voiced their concerns about access to care.

While I know that many in the military community are wary of changes to the healthcare system, I believe the reforms included in this bill are designed to improve and maintain operational medical force readiness while at the same time affording better value to TRICARE beneficiaries by providing higher quality medical care, with better access to that care, and a better experience of care.

I am also pleased to note that the mark includes the 105 recommendations of the Military Justice Review Group. The review group was made up of judges and lawyers, all military justice experts, who spent 18 months reviewing and providing recommended changes to update the entire Uniform Code of Military Justice. These provisions provide a much-needed updating of the military justice system, and I want to commend the members of the review group for their work and also the counsels on the committee, Gary Leeling and Steve Barney, for all their efforts in this area.

Again, a major effort, as has been highlighted by the chairman, is to continue the Senate tradition for improving the way DOD buys everything, from major systems like the F-35 and submarines to office support services, to

spare parts, and even to the buying of new technologies and next-generation research products.

I am pleased we have taken positive steps to strengthen our contracting and program management workforces and support Secretary Carter's efforts to reach out to innovative Silicon Valley companies and other high-tech small businesses. I am glad we are building on the considerable and successful efforts Under Secretary Frank Kendall has taken to control costs and improve delivery times of our major weapons systems through his active management and leadership, which have resulted in a very successful series of better buying power procurement reforms.

Consistent with those efforts, we have taken steps to improve our ability to estimate costs of new weapons systems, especially the cost to maintain them in the field or at sea, sometimes for decades, and to de-layer the bureaucracy and untangle the redtape that the Pentagon acquisition process has sometimes been very much weighted down by.

We can use better data and better analysis to make better decisions on what we acquire and how we maintain it. I want to note that I believe there are a few provisions where continued dialogue with the Pentagon can improve our bill and make sure we achieve our shared goal: delivering the best and most modern systems to our forces, while protecting taxpayer money in the most responsible manner possible.

I hope we can work together to reexamine and refine a few provisions of the bill to that end. For example, I am concerned that we overly limit the flexibility of DOD to use all available contract types to best balance the needs of government and industry. I am pleased the bill before us is very supportive of the scientists, engineers, and other technical innovators in organizations like DARPA, in the Department of Defense, and in DOD laboratories across the Nation.

We fully fund the President's request for science and technology research programs, including the university research programs that are the foundation of almost all military and commercial technology. We also fully fund the important work of DARPA and the Strategic Capabilities Office, both of which are working to develop the next-generation systems that will dominate the battlefields of the future, on the ground, on the sea, under the sea, in space, and in cyber space.

We also take important steps to ensure that DOD can better compete with the private sector for a limited and shrinking pool of world-class technical talent. I am pleased to see we have given the DOD labs and DARPA important tools to hire the best scientists and engineers through faster hiring processes and some special pay authorities.

We have also taken steps to cut the redtape that often ties up these organizations and keeps them from achieving their full innovative potential, as well as to allow the labs to more easily build and maintain modern research equipment and laboratory facilities. One of the major challenges facing DOD is the difficulty in moving such a large and diverse organization to adopt new and more efficient business practices.

I am pleased the bill provides a number of authorities and pilot programs that will allow the Department to explore new business practices, informed by best commercial practices, which hopefully will drive down costs and reduce the bureaucratic burdens on the military. For example, we push for the Department to make more use of the burgeoning field of big data and data analytics so it can collect and use information and data in a much more sophisticated way, to improve DOD management, human resources, and acquisition practices.

Big data techniques are changing the way the commercial sector markets products, manufactures, and manages supply chains and logistics. It is even changing the way people manage sports teams. We would like to see similar techniques and technological advances used in ways that will improve the efficiency of the Pentagon and its processes.

We take a major step in this bill to redesignate the position of the Under Secretary for Acquisition Technology and Logistics as the Under Secretary for Research and Engineering. I understand and support the chairman's intent to make sure that innovation, research, and technology are at the forefront of Pentagon thinking. We all know we are now in a world where the Pentagon can no longer corner the market on the best people or the best new technologies.

Our foreign competitors are closing the gap on our battlefield technological superiority, and global commercial companies are far outspending the government on the development of new systems and technology in areas like cyber security, biotechnology, aerospace, and others that are critical to the future of our national security.

I hope the reorganization and realignment steps we take in this bill support DOD's effort to stay at the leading edge of technological advances. I worry that we may not understand all of the implications of the major changes we are proposing, and I hope we can continue to have a robust and open dialogue, including with the Pentagon's leadership, so we can take these steps in a thoughtful, considered way.

Once again, we have taken very bold and very thoughtful steps, but I think we can enhance these steps with a bigger, productive dialogue. This bill takes several other steps to reform both the organizational structures of the civilian and military leadership

and also the Pentagon's overall approach to its operations. One of the most significant provisions of the bill is the creation of cross-functional teams. The Office of the Secretary of Defense is organized exclusively along functional lines, such as acquisition, personnel, logistics, finance, and intelligence, but the real work of the Department is mission performance, which requires integrating across all of these functional stovepipes to achieve specific objectives. This integration task has always been a serious challenge, conducted through layers of management spanning more and more functional boundaries, ending with the Secretary and Deputy Secretary of Defense.

The Armed Services Committee, in the years before drafting the Goldwater-Nichols act, grappled with the broad problem of mission integration across DOD. The committee found solutions for achieving "jointness" in the combat operations of the Department, but the committee was unable, at that time, to find practical mechanisms to achieve mission integration in the Office of the Secretary of Defense.

The problem of integrating across silos of function expertise is not unique to DOD or the government as a whole. Industry has long struggled with the same problem. Not surprisingly, industry has pioneered effective ways to integrate across their enterprises, dramatically improving outcomes in shorter timeframes, and ultimately streamlining and flattening organizational structures. This bill is the first major step in applying these concepts systematically in government. It will not be easy. There will be resistance to such changes, but I believe we are taking steps in the right direction, and I encourage the leadership of the Department of Defense to work with Congress to make this reform successful.

Another important provision is a reform of the Joint Requirements Oversight Council, JROC, which shepherds the joint acquisition process. This bill elevates the Vice Chairman of the Joint Chiefs from merely "first among equals" on the Council to the principal adviser to the Chairman on military requirements. The committee hopes this change will solve one of the most important and consistent criticisms of the JROC; namely, that it is a quid-pro-quo process dominated by parochial service interests.

There are other reform provisions—changes to the role of Chairman of the Joint Staffs and Combatant Commands, a reduction in the number of general and flag officers, and a change to the type of strategy doctrines produced by the Department. Again, these reforms are a good start, but these are major changes that may have unforeseen consequences. I think they would benefit, again, from further discussion with the Defense Department's military and civilian leadership and outside experts. I encourage and look forward to that dialogue.

Let me highlight one provision of the bill that I am somewhat concerned with. It limits the Defense Department's ability to implement an important Executive order that protects the health, safety, and labor rights of veterans, disabled persons, and other persons of the defense industry workforce. The Executive order is an important tool to ensure that DOD is working with responsible contractors that are more likely to deliver goods and services critical to national security on time and on budget when they are following these procedures.

This order is being implemented in a way that protects the rights of all employees, while also protecting due process rights for the companies concerned, and ensuring that there is no discrimination against them based on incomplete evidence of wrongdoing or unsubstantiated allegations. I hope we can work to continue a policy, as enunciated by the Executive order, that I think we can all support, ensuring DOD is working with responsible contractors to protect our workforce and support national security missions.

Finally, I would like to say a few words about the funding levels for defense. The bill reported out of committee includes \$523.9 billion in discretionary spending for defense base budget requirements and \$58.9 billion for Overseas Contingency Operations. It also includes \$19.3 billion for Department of Energy-related activities, resulting in a top-line funding level of \$602 billion for discretionary national defense spending.

While these funding levels adhere to the spending limits mandated by the Bipartisan Budget Act, BBA, of 2015, concerns have been raised that the Department requires additional resources. As all Members are aware, when the Senate considered the BBA last fall, it established the discretionary funding levels of defense spending for fiscal year 2017.

That agreement passed this chamber with support from Senators from both political parties. Furthermore, the BBA split the increase in discretionary spending evenly between the security and nonsecurity categories. As we consider the fiscal year 2017 NDAA, there is likely to be—in fact, the chairman has made it very clear—an effort to increase military spending above the level established by the BBA.

It is important to remember that since the Budget Control Act was enacted in 2011, we have made repeated incremental changes to the discretionary budget caps for both defense and nondefense accounts. We have done so in order to provide some budget certainty to the Department of Defense and also to domestic agencies. As debate on this bill continues, the chairman has indicated he will propose an amendment to increase spending for defense only.

Again, this seems to run counter to the central tenets of all the previous budget negotiation agreements. If defense funds are increased, funding for

domestic agencies must also be increased, I believe. In addition, this is a point that I think all of us acknowledge, our national security is broader than simply the accounts in the Department of Defense. It is the FBI, it is the Department of Homeland Security, and it is many other agencies that contribute to our national security.

Let me conclude, once again, by thanking the chairman and my colleagues on the committee who contributed significantly and thoughtfully through this whole process, and I particularly thank the staff who worked laboriously and at great personal cost to ensure that we have a bill we can bring to our colleagues on the floor and stand and continue a very thoughtful, vigorous, and important dialogue about the national security of the United States. Let me thank them.

I know there are many amendments that have been filed. I look forward to working with the chairman and all of my colleagues to get this legislation completed and sent forward.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

If no one yields time, the time will be equally charged to both sides.

The Senator from Delaware.

50TH ANNIVERSARY OF ROBERT F. KENNEDY'S
"RIPPLES OF HOPE" SPEECH

Mr. COONS. Madam President, on this exact date half a century ago, then-Senator Robert F. Kennedy delivered a powerful speech in Cape Town, South Africa, a nation that was then struggling through the cruel injustices of apartheid. It was the conclusion of a remarkable trip to South Africa in which Bobby Kennedy visited the Nobel Peace Prize-winning Chief Lutuli, visited Soweto, visited the University of Wits in Johannesburg, and spoke with students at the University of Cape Town.

Last week I had the opportunity to help lead a congressional delegation to commemorate Bobby Kennedy's historic journey and his famous "Ripples of Hope" speech he delivered during his visit. The trip offered all of us an opportunity to reflect on the parallels between America's civil rights movement and South Africa's liberation struggle and to renew the conversation of reconciliation as both countries face legacies that remain both difficult and unresolved.

More importantly, as South Africa and the United States face serious challenges to the very institutions that underpin and preserve our democracies, this trip served as a reminder that while our constitutional orders may be supported by courageous and principled leaders through critical moments in our history, nations don't endure because of a few charismatic and historic individuals, they endure because of institutions.

I was honored to be joined on this trip by a bipartisan group of colleagues from the House of Representatives, including, most importantly, Congress-

man JOHN LEWIS of Georgia, who is a hero of America's own civil rights movement, Democratic Whip STENY HOYER of Maryland, and five others. There was also a "Ripples of Hope" delegation that traveled alongside us that included RFK's children, Kerry Kennedy and Rory Kennedy. Kerry is now president of the RFK Human Rights Foundation. There were more than a dozen members of the Kennedy family, of several generations, as well as the leaders and some members of the Faith in Politics Institute. It is Faith in Politics that annually organizes—under the leadership of Congressman JOHN LEWIS—the civil rights pilgrimage of Members of Congress, Republicans and Democrats, House and Senate, who retrace the steps of the famous Selma march, which he helped lead, as well as the pivotal events of both Montgomery and Birmingham at the height of the American civil rights movement. These three organizations—the Faith in Politics Institute, the RFK Foundation, and the congressional delegation—met up in South Africa.

At the time of Bobby Kennedy's visit 50 years ago, South Africa was deep in the throes of apartheid, with a liberation movement that had been decapitated in the Liliesleaf raid of 1963 and pushed far underground. At that point, Black South Africans lived in fear, and their leaders were either imprisoned or in exile. The National Party and the South African security forces controlled nearly every state institution. As author Evan Thomas has described it, "Nowhere was injustice more stark or the prospect for change bleaker than South Africa in 1966." RFK would later write about what he what called "the dilemma of South Africa: a land of enormous promise and potential, aspiration and achievement—yet a land also of repression and sadness, darkness and cruelty" as of 1966. To put it plainly and simply, apartheid was a brutal form of racial subjugation.

In the midst of an environment in which White supremacy was codified by law and most anti-apartheid leaders and stalwarts were imprisoned or on the run, Bobby Kennedy was invited to give the University of Cape Town's Day of Affirmation address. Kennedy began his speech at Jameson Hall, describing "a land in which the native inhabitants were at first subdued, but relations with whom remain a problem to this day; a land which defined itself on a hostile frontier; . . . a land which once [was] the importer of slaves, and now must struggle to wipe out the last traces of that former bondage." RFK then paused before concluding: "I refer, of course, to the United States of America."

As you listen to the audio recording of his speech, you can then hear a ripple of recognition and applause that Kennedy—who many thought was introducing his speech about South Africa—was instead recognizing remarkable parallels between our two nations. As Kennedy spoke to a large crowd who

had waited in the cold for hours, he made it clear with his opening that he came not to preach to the people of South Africa from our supposed position of superiority due to the length of our democratic experiment but to share and to learn from our common legacies and challenges.

Then and now, the differences between the United States and South Africa are profound and real. Yet Americans and South Africans do share more than we might widely recognize. We have similar stories to tell, and we have many lessons that we can and should learn from each other.

Today, more than 20 years after the end of apartheid, South Africa's post-apartheid nonracial democracy is struggling to deliver on the promise of its ambitious founding principles and to transform its economy to generate opportunity for all its citizens. Meanwhile, here in the United States, we are mired in dysfunctional politics, and many Americans justifiably feel that we have failed to make even modest progress on the economic and social challenges we face.

Our countries also share a deeply embedded history of racial discrimination and division from which we have not yet healed—a shared struggle exemplified by the fact that 50 years ago during Kennedy's trip to South Africa, American civil rights activist James Meredith was shot by a White gunman while marching for voting rights in Mississippi.

We share complex histories of struggles balancing the role of violence and nonviolence in seeking justice and equality under the law.

Today we share flawed criminal justice systems that disproportionately punish our citizens of color, and we share sadly imperfect education systems that don't do enough to support them.

Today we also continue to share a struggle to find the most appropriate way to welcome and incorporate literally millions of undocumented immigrants and to prevent the tensions associated with xenophobia—something we have seen in the United States and we also heard about in South Africa last week.

Yet, despite our common shortcomings, we share remarkable constitutions and inspiring foundational documents—South Africa's Freedom Charter and our own Declaration of Independence—whose soaring principles say powerful and inspiring things but whose lived experiences have so far fallen short.

We share a powerful commitment to democracy framed by these strong original documents, respect for the rule of law, and capable and independent judiciaries—institutions created and sustained by the work of many over hundreds of years.

We share a striking foundational moment: Our President George Washington and their President Nelson Mandela—both, as founding Presidents,

stepped down from their offices willingly and set powerful precedents of respect for constitutions and term limits.

We share the fact that we are deeply religious nations across all racial backgrounds and all income levels. Both South Africa and the United States have deep and long traditions of faith and religion which have powerfully influenced our public lives. These, of course, are traditions which were at times in the past twisted into justifications for prejudice and racial discrimination but which also served as guiding lights for the nonviolent efforts to achieve justice and reconciliation.

If you think about it, these shared faith traditions have inspired some of our most powerful leaders. Congressman JOHN LEWIS, who was with us on this trip, was beaten, bloodied, and arrested 40 times in the streets of the South, fighting for equality in the South under the law. He led the Student Nonviolent Coordinating Committee. As the leader of the march on Selma in 1966, he encountered State troopers armed with guns, tear gas, and clubs wrapped in barbed wire as he crossed the Edmund Pettus Bridge and simply said, before the onslaught that later became known as Bloody Sunday, "Let us pray."

We all remember that Reverend Dr. Martin Luther King, Jr., was one of the most important leaders of our civil rights movement, the Baptist preacher and president of the Southern Christian Leadership Conference who, when imprisoned in a Birmingham jail, wrote that "human progress never rolls in on wheels of inevitability; it comes through the tireless efforts of men willing to be coworkers with God."

Similarly, in South Africa some of their most important leaders were clergymen. One of the most moving moments for me in our trip was the chance to revisit a fellowship I have shared with Archbishop Desmond Tutu, for whom I worked briefly 30 years ago. Tutu, the Anglican bishop who led the South African Council of Churches and fought for decades against apartheid, was lifted up and recognized with the Nobel Peace Prize in 1984 and many years later received the Presidential Medal of Freedom here in the United States. He ultimately chaired the post-apartheid Truth and Reconciliation Commission, which engaged in the very hard work of convening whole committees of both those who committed the atrocities of apartheid and their victims in a disciplined, constitutionally created, nationwide effort at reconciliation. It was Archbishop Desmond Tutu who wrote, "Hate has no place in the house of God."

In both the United States and South Africa, the language used to challenge unjust structures and actions of the government in civil society at the time were rooted in Biblically based questions of justice and righteousness. It made possible national conversations about forgiveness and reconciliation.

Some of the most striking and powerful witnesses offered quietly on the

sides of our journey were from two Americans who were participants in the faith and politics civil rights pilgrimage this year in Charleston, SC. They were survivors of the horrible events at the Emanuel AME Church in Charleston, a tragedy in which relatives and friends were savagely murdered during a Bible reflection prayer session. It was a tragedy from which two survivors, Felicia and Polly, traveled with us to South Africa last week, with the Kennedy delegation. It was many of those who survived that tragic event in Charleston, SC, who just a few days later, in confronting the gunman, were able and willing, out of the depths of their faith, to say publicly:

We have no room for hate. We have to forgive.

I will remind you that one thing that is most impressive about Congressman JOHN LEWIS from his own experience in our civil rights movement is his ability to reconcile and forgive. Decades after a member of the Ku Klux Klan beat JOHN LEWIS and many other Freedom Riders in the summer of 1961, the now U.S. Congressman JOHN LEWIS welcomed a Klansman who had actually beaten him decades before to his office here in Washington and said, as he has repeated many times on our civil rights pilgrimage, "I accept your apology. I forgive you."

One of the most striking aspects of Nelson Mandela's leadership as the first President of a truly free, non-racial South Africa was his capacity for forgiveness. Twenty years after he was released from prison—an imprisonment that lasted 27 years and robbed him of his opportunity to be a free man, to see his own children grow up, to be a contributing part of his society; an apartheid imprisonment that took away virtually his entire adult life—20 years after his release from prison, Mandela invited one of his former jailers to dinner at his own home, a man with whom he had become friends, saying that their friendship "reinforced my belief in the essential humanity of even those who had kept me behind bars." Think about the depths of that forgiveness. As our own President Obama has put it, referring to Mandela by his familiar name, "It took a man like Madiba to free not just the prisoner, but the jailer as well."

It is individuals such as JOHN LEWIS and Nelson Mandela who set the example of healing, forgiveness, and reconciliation that may ultimately allow us to move forward from our foundational sins of slavery and discrimination. And it is the powerful witness of those from South Carolina, from the Emanuel AME Church, who have challenged us anew, in an era of Black Lives Matter concerns and protests, to redouble our efforts to achieve real repentance by those who weigh violence against our racial minorities in the United States and those whose still need reconciliation and forgiveness.

Last week our congressional delegation had a chance to break bread with

Archbishop Desmond Tutu. We heard him discuss the vital importance of the Truth and Reconciliation Commission, which allowed the people of South Africa to attempt to work together to move past the bitterness and hatred of apartheid. There is much work undone in South Africa today, as I referenced, but the transformational impact of the Truth and Reconciliation Commission is beyond doubt in that it made it possible for both the perpetrators and the victims of apartheid to see each other face to face and to engage in many acts of contrition and reconciliation.

We had a chance on our trip to South Africa to visit Liliesleaf Farm just outside of Johannesburg, which was the site where the leaders of the underground anti-apartheid movement—led by Nelson Mandela, Walter Sisulu, and Andrew Mlangeni, the African National Congress—where all of those leaders were at one time picked up by the South African security police. This was in July of 1963. We had a chance to meet with and hear from many of the stalwarts of that stage of the struggle—from Walter Sisulu's son Max to Mlangeni himself, now in his late eighties—about their struggles following the raid and the Rivonia treason trials, after which there were life sentences imposed on many of those captured at Liliesleaf.

We also visited Nelson Mandela's home in Soweto and his jail cell on Robben Island, where he served out 18 years of his very long sentence. We had a remarkable and moving tour of Robben Island, provided for us by Ahmed Kothrada, who goes by the casual name of "Kathy," and who talked with us about his experience on Robben Island and about how they maintained discipline, how they were able to continue to work together to shore up each other's spirits as they coped with year after year of brutal conditions and hard prison labor.

One of the most striking things for me was to hear from this man, Mr. Kothrada, the absence of bitterness, the absence of vitriol after his life, too, was marred by decades of imprisonment by the apartheid regime.

It wasn't just members of our delegation who had an opportunity to learn from these conversations. There were also many South Africans who had the opportunity to hear from Congressman JOHN LEWIS, as he spoke passionately in several different settings, both in Johannesburg and in Cape Town, about his experience in our civil rights movement. It was uplifting to see him mobbed afterwards by young South Africans everywhere he went who wanted to meet with him, hear from him, take pictures with him, and reflect once again on the common and constructive legacies of our two nations.

As we look back at 50 years, we see from the struggles of people like JOHN LEWIS and Nelson Mandela that while progress is possible, RFK's observation that "humanity sometimes progresses very slowly indeed" remains true, and humanity has much more work to do.

Today, in South Africa, over half the Black population lives in poverty compared to less than 1 percent of the White population. Average annual household income is over \$25,000 for White South Africans, yet barely \$4,000 for Blacks. South Africa's unemployment rate is 7 percent for Whites and over 30 percent for Blacks, and it is much higher in the townships and for younger South Africans. Even when Black students make it to South Africa's universities, like the University of Cape Town, they are much less likely to graduate.

I have many more statistics that I could cite, but by important measures, inequality between Whites and Blacks has actually increased since the end of apartheid in South Africa since 1994.

These disparities are not unique to South Africa. A Pew Research Center study found that in 2013 in the United States, White households had a median net worth 13 times greater than that of our African-American households—the largest discrepancy in decades in our country. Our Department of Education recently found that compared to White students, Black students in America are far less likely to have access to preschool, advanced high school courses, are much more likely to be suspended, and are much less likely to complete college.

These divides sadly extend to our legal system as well. On average, Black men in America receive sentences 20-percent longer than White men who commit identical crimes. The population of my home State of Delaware is 22 percent Black, yet two-thirds of our prison population is African American.

Behind all these challenging and difficult statistics lies the very real challenge of how to be true to our foundational values and yet find a path forward that creates both growth and empowerment and opportunity and progress for the peoples of both of our countries. By any measure, we have more work to do. Echoing the words of Congressman LEWIS, “we have come a great distance . . . but we have a great distance farther to go.”

In that June 6 address 50 years ago, Bobby Kennedy described the plane that brought him to South Africa from which “we could see no national boundaries, no vast gulfs or high walls dividing people from people.” Today, globalization has proven that the boundaries between us and them—whether by race or religion, party or nationality—are indeed what RFK called them—illusions of differences.

Still, we need to find the courage and the strength to tackle these problems, to not fall victim to the forces of apathy and complacency. We must find solutions that work for each country in its own context.

Exactly 50 years ago today, Bobby Kennedy told South Africans: “Few will have the greatness to bend history but each of us can work to change a small portion of the events, and then the total of all these acts will be writ-

ten in the history of this generation.” That, in some ways, was the enduring power of his best known quote from that speech, about how each man, each individual—man or woman—who stands up for an ideal acts to improve the lot of others or strikes out against injustice and sends forth a tiny ripple of hope. All those ripples in combination can form a wall of water that knocks down even the greatest of impediments to progress and justice, such as the walls of apartheid.

It was these very ripples that sent forth hope to all South Africans in 1966, when Bobby Kennedy spoke. It was these ripples that sustained Mandela's struggle over decades and that prompted the son of an African immigrant to America to take his first steps towards a career in public service, a decision that ultimately brought him to our Presidency today. It was the same commitment to equality and justice that led me, 30 years ago, to travel to South Africa and work for the Council of Churches there, under the tutelage of both Reverend Paul Verryn and Archbishop Desmond Tutu. It was this same experience which was reflected in Bishop Tutu's “Ubuntu,” the distinctly South African idea that, as President Obama put it, we are all bound together in ways invisible to the eye but there is a oneness to humanity.

I met a remarkable range of men and women, young and old, leaders of this generation and the last in South Africa in this past week, and I was reminded in all of our conversations—on Robben Island, at Liliesleaf, with young entrepreneurs in Soweto, with business leaders trying to grow the economy and create opportunity, with those from every background in South Africa—that all of these men and women have fought that fight, sending forth ripples of hope that brought the mighty walls of apartheid crashing down and built a more equal nation in its place 20 years ago. That has to continue to be part of this progress today and going forward.

Bobby Kennedy's visit 50 years ago played a critical role in changing the tone and tempo of the anti-apartheid struggle at the time. Margaret Marshall, a student activist then in South Africa, recalled this from the time of his visit in 1966:

The world seemed to ignore us . . . but Bobby Kennedy was different. He reminded us . . . that we were not alone. That we were part of a great and noble tradition, the reaffirmation of nobility and value in every human person. We all had felt alienated. It felt to me that what I was doing was small and meaningless. He put us back into the great sweep of history.

Last week, speaking at that same university at which her father provided this vital infusion of optimism a half century ago, Kerry Kennedy told us these ripples of hope didn't have to come from governments or militaries or corporations. They can come from anyone, anywhere—from seemingly average people, just as was the case with Margaret Marshall five decades ago. Today, they come from us, from the

citizens we represent across this Nation and the people struggling across South Africa to find together a better and brighter future.

In the months and years to come, the United States and South Africa can and should look to each other for lessons and inspirations as we continue to work to heal the damage of racial injustice, to reverse the trends of economic inequality, and to protect our experiments in democracy.

As South Africa prepares for upcoming municipal elections in August, and as we prepare for our own national elections in November, both nations are entering periods in our electoral history where our institutions of democracy and governance are being challenged. Today, South Africa is showing just how important to the sustainment of democracy it is to have not just charismatic, worldly, historical, or forgiving heads of state or individuals leading churches but also a very strong public protector, an independent judiciary, a vibrant media, and an engaged electorate.

In America and South Africa, I believe our institutions will protect and preserve our democracies. These institutions must, of course, be inspired and led by courageous and principled individuals, like Senator Kennedy, like Congressman LEWIS, like President Mandela. But nations don't endure because of individuals. Nations must endure because of strong institutions.

Two months after he returned to the United States, Kennedy reflected on his speech of 50 years ago today, and said:

I acknowledged the United States, like other countries, still had far to go to keep the promises of our Constitution. What was important . . . was that we were trying.

In 1991, when President Mandela came here to speak, he told an American audience: “I am not a saint, unless you think of a saint as a sinner who keeps on trying.” The people of the United States must keep trying to be true to our foundational values and documents, and the people of South Africa must as well. We must all keep on trying, as President Obama said, because “action and ideas are not enough. No matter how right, they must be chiseled into law and institutions” that will endure.

We have a lot of trying left to do. From last week, I have concluded that we have much to learn from each other and much to teach the rest of the world. So let's rededicate ourselves, 50 years after Bobby Kennedy's speech gave hope to South Africa and the world, to facing these challenges together.

I thank the Chair, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

72ND ANNIVERSARY OF D-DAY

Mr. TILLIS. Madam President, I am here today to talk about a very important event in American history. Seventy-two years ago today, six American and four British and Canadian divisions began the assault on Adolf Hitler's Fortress Europe, on what German Field Marshal Rommel famously referred to as "the longest day."

As the paratroopers moved to their planes and infantrymen embarked on their ships, Dwight Eisenhower reminded them of their cause when he said:

You are about to embark upon the Great Crusade, toward which we have striven these many months. The eyes of the world are upon you. The hopes and prayers of liberty-loving people everywhere march with you. In company with our brave Allies and brothers-in-arms on other Fronts, you will bring about the destruction of the German war machine, the elimination of Nazi tyranny over the oppressed peoples of Europe, and security for ourselves in a free world.

North Carolina was at Normandy on that day. At 1:51 a.m., Fort Bragg's 82nd Airborne Division, under the command of MG Matthew Ridgeway and BG James Gavin, began the fight. The paratroopers of the "All-American Division" were scattered by bad weather and German anti-aircraft fire, missing many of their designated drop zones. Within hours, though, through sheer guts and determination, the All-American Division had captured towns and crossroads and ensured that the Panzer counterattack did not reach Normandy beaches, allowing the Allied infantry to push into the heart of German-occupied France.

The 82nd Airborne finished the war as the most decorated combat unit in the history of the United States, a distinction that still holds today. The cross-channel invasion fixed Omaha and Utah Beaches for the American assault. "Bloody Omaha" was the most difficult of the landing beaches, due to its rough terrain and bluffs fortified by Rommel's infantry division.

Omaha was hit by the U.S. First and 29th Infantry Divisions. The 29th, known as "The Blue and Gray Division," was a National Guard unit composed of men from North Carolina, Virginia, and Maryland. In the first wave, A Company, 1st Battalion, 116th Infantry, from the Virginia National Guard in Bedford, VA, was annihilated as it landed.

The catastrophic losses suffered by the small Virginia community led it to being selected for the site of the National D-day Memorial. Losses were so heavy that GEN Omar Bradley seriously considered pulling American forces from Omaha Beach. However, follow-on units from the North Carolina National Guard reached that beach, as immortalized in the opening scenes of the movie "Saving Private Ryan."

By nightfall, the division headquarters and 10,000 reinforcements

landed and began fighting inland. On Omaha Beach, "uncommon valor was [quite] common" that day.

By the evening of June 6, over 1,000 men from the 29th had become casualties on Omaha Beach. Added to losses at other beaches and drop zones made the total casualties for Operation Overlord 6,500 Americans and 3,000 British and Canadian soldiers.

During World War II, the 29th Infantry Division had such a high casualty rate it was said that its commanding general actually commanded three divisions: one on the field of battle, one in the hospital, and one in the cemetery. The 29th Infantry Division lost 3,720 killed in action, 15,403 wounded in action, 462 missing in action, 526 prisoners of war, and another 8,665 noncombat casualties, for a total of 28,776 casualties during 242 days of combat.

Today, thousands of North Carolinian guardsmen continue the brave tradition of this proud unit.

The people of North Carolina remember the soldiers of D-day and their comrades from other battlefields of the war. On the Cape Fear River sits the USS *North Carolina*, the most decorated battleship of World War II. It is not a museum. It is a reminder. It is our memorial. The names of over 10,000 North Carolinians who paid the ultimate price are set on the walls of that great ship. In Franklin Roosevelt's words, "They fought not for the lust of conquest. They fought to end conquest. They fought to liberate."

As we observe D-day, I hope we all recognize the ultimate sacrifice so many men and women have paid in uniform, and on the week that we consider the national defense authorization, I hope all of my colleagues will recognize the incredible importance and the debt we owe them to do our job here so that they can continue to defend us abroad. We have to do everything we can to get them safe and prepared and ready to do that mission.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Madam President, I didn't know my colleague from North Carolina was going to come to the floor to talk about D-day. That is what I am going to talk about too. I would like to follow on his comments, first, to congratulate him for a terrific job of explaining the importance of this day, not just to our country but to the world, the day America truly began the liberation of Europe, and also for his description of the North Carolina brave soldiers who lost their lives that day.

It was 72 years ago this morning when the invasion began. It was a day in which there was a lot of concern and anxiety. People knew this was going to be a major conflict.

Some 40 years later, Ronald Reagan spoke at Pointe du Hoc. He made the point that every church in America was filled that morning. By about 4 that morning, people were praying all over the country, knowing this was

going to be a very difficult battle. It was the largest amphibious assault in the history of the world. There were 150,000 Allied troops involved, and as my friend from North Carolina indicated, we lost over 10,000 troops that day, most of whom were Americans. There were 10,000 aircraft involved as well and 6,000 ships.

It was thought that day that Franklin Delano Roosevelt would give a speech, as he had done many times before, called a "fireside chat," from the White House, talking about the invasion and helping the American people to understand the importance of that day, but he decided to do something else instead. He decided, instead of giving a speech, to recite a prayer. That prayer has become known as the "D-day Prayer." It is a very powerful statement.

About 2 years ago on this day, the 70th anniversary, we passed legislation in the Senate to actually ensure that prayer would be part of the World War II Memorial. We are now going through the process to have that included in the World War II Memorial so all Americans today, and the children and grandchildren of those World War II veterans and heroes, as they come to Washington, are able to see this prayer Franklin Delano Roosevelt said that day. I would like to read these words that were spoken 72 years ago by President Roosevelt, if I might. He said:

My fellow Americans: Last night, when I spoke with you about the fall of Rome, I knew at that moment that troops of the United States and our allies were crossing the Channel in another and greater operation. It has come to pass with success thus far.

And so, in this poignant hour, I ask you to join with me in prayer:

Almighty God: Our sons, pride of our Nation, this day have set upon a mighty endeavor, a struggle to preserve our Republic, our religion, and our civilization, and to set free a suffering humanity.

Lead them straight and true, give strength to their arms, stoutness to their hearts, steadfastness to their faith.

They will need Thy blessings. Their road will be long and hard. For the enemy is strong. He may hurl back our forces. Success may not come with rushing speed, but we shall return again and again; and we know that by Thy grace, and by the righteousness of our cause, our sons will triumph.

They will be sore tried, by night and by day, without rest—until the victory is won. The darkness will be rent by noise and flame. Men's souls will be shaken with the violences of war.

For these men are lately drawn from the ways of peace. They fight not for the lust of conquest. They fight to end conquest. They fight to liberate. They fight to let justice arise, and tolerance and good will among all Thy people. They yearn but for the end of battle, for their return to the haven of home.

Some will never return. Embrace these, Father, and receive them, Thy heroic servants, into Thy kingdom.

And for us at home—fathers, mothers, children, wives, sisters, and brothers of brave men overseas—whose thoughts and prayers are ever with them—help us, Almighty God, to rededicate ourselves in renewed faith in Thee in this hour of great sacrifice.

Many people have urged that I call the Nation into a single day of special prayer. But

because the road is long and the desire is great, I ask that our people devote themselves in a continuance of prayer. As we rise to each new day, and again when each day is spent, let words of prayer be on our lips, invoking Thy help to our efforts.

Give us strength, too—strength in our daily tasks, to redouble the contributions we make in the physical and the material support of our armed forces.

And let our hearts be stout, to wait out the long travail, to bear sorrows that may come, to impart our courage unto our sons wheresoever they may be.

And, O Lord, give us Faith. Give us Faith in Thee; Faith in our sons; Faith in each other; Faith in our crusade. Let not the keenness of our spirit ever be dulled. Let not the impacts of temporary events, of temporal matters of but fleeting moment let not these deter us in our unconquerable purpose.

With Thy blessing, we shall prevail over the unholy forces of our enemy. Help us to conquer the apostles of greed and racial arrogancies. Lead us to the saving of our country, and with our sister Nations into a world unity that will spell a sure peace—a peace invulnerable to the schemings of unworthy men. And a peace that will let all of men live in freedom, reaping the just rewards of their honest toil.

Thy will be done, Almighty God.
Amen.

This is the prayer that he spoke on D-day. What a powerful moment.

On this day, 72 years later, we remember the bravery and the sacrifice of D-day. We remember the fact that this was the beginning of the liberation of Europe, and, indeed, as President Roosevelt predicted, we would ultimately prevail, despite great losses.

Let us also today, as we are talking on the floor—this evening, tomorrow, and through the week—about our defense forces, remember the importance of this prayer, as it talks about the need for us to ensure we do have a strong military and that we support those in the military forces as we take up the Defense authorization legislation.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

VOTE ON AMENDMENT NO. 4206

Mr. MORAN. Mr. President, I yield back the time.

The PRESIDING OFFICER (Mr. RUBIO). All time has expired.

The question occurs on agreeing to amendment No. 4206.

Mr. MORAN. 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 legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Indiana (Mr. COATS), the Senator

from Arizona (Mr. FLAKE), the Senator from North Dakota (Mr. HOEVEN), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Illinois (Mr. KIRK), the Senator from Alaska (Ms. MURKOWSKI).

Further, if present and voting, the Senator from North Dakota (Mr. HOEVEN) would have voted “yea” and the Senator from Wisconsin (Mr. JOHNSON) would have voted “yea.”

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from North Dakota (Ms. HEITKAMP), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

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

The result was announced—yeas 91, nays 0, as follows:

(Rollcall Vote No. 89 Leg.)

YEAS—91

Alexander	Fischer	Perdue
Ayotte	Franken	Peters
Baldwin	Gardner	Portman
Barrasso	Gillibrand	Reed
Bennet	Graham	Reid
Blumenthal	Grassley	Risch
Blunt	Hatch	Roberts
Boozman	Heinrich	Rounds
Boxer	Heller	Rubio
Brown	Hirono	Sasse
Burr	Inhofe	Schatz
Cantwell	Isakson	Schumer
Capito	Kaine	Scott
Cardin	King	Sessions
Carper	Klobuchar	Shaheen
Casey	Lankford	Shelby
Cassidy	Leahy	Stabenow
Cochran	Lee	Sullivan
Collins	Manchin	Tester
Coons	Markey	Thune
Corker	McCain	Tillis
Cornyn	McCaskill	Toomey
Cotton	McConnell	Udall
Crapo	Menendez	Vitter
Cruz	Merkley	Warner
Daines	Mikulski	Warren
Donnelly	Moran	Whitehouse
Durbin	Murphy	Wicker
Enzi	Murray	Wyden
Ernst	Nelson	
Feinstein	Paul	

NOT VOTING—9

Booker	Heitkamp	Kirk
Coats	Hoeven	Murkowski
Flake	Johnson	Sanders

The amendment (No. 4206) was agreed to.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

• Mr. BOOKER. Mr. President, today the Senate voted on amendment No. 4206 to S. 2943, the National Defense Authorization Act, NDAA, for fiscal year 2017. This amendment would ensure that beneficiaries affected by changes to military health care designed to maintain critical wartime medical readiness skills and core competencies will be able to access through TRICARE medical services no longer available at military treatment facilities. I support this amendment because it ensures military families and retirees receive the care they deserve while allowing the military to focus on its wartime medical skills and training, and I would have voted in favor of it if I were present for the vote.

Currently, the Military Health System has the dual role of medically supporting wartime deployments while caring for Active Duty members, retirees, and their families in peacetime. However, the core competencies and skills required for wartime and peacetime medical care can, at times, diverge. Great efficiencies can be found through public-private partnerships that can allow military medical professionals to focus on their wartime skills, while allowing the civilian health system to provide more care to military families and retirees. In our fiscally constrained environment, we must ensure that we use our defense dollars for maximum effect.

Amendment No. 4206 specifies how beneficiaries will receive care because of changes to the Military Health System. The amendment also requires the Secretary of Defense to submit a report to Congress on the modifications to medical services, treatment facilities, and personnel in the Military Health System. This ensures appropriate oversight of the Department of Defense's reforms in this area. I will continue to work to ensure that the individuals that protect us every day receive the care and support that we owe them.●

The PRESIDING OFFICER. The Senator from Arizona

AMENDMENT NO. 4229

(Purpose: To address unfunded priorities of the Armed Forces)

Mr. MCCAIN. Mr. President, I call up my amendment No. 4229.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN] proposes an amendment numbered 4229.

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

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

(The amendment is printed in the RECORD of May 25, 2016, under “Text of Amendments.”)

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I rise today to speak about the National Defense Authorization Act, which we will be processing this week, I hope. Particularly, I want to talk about Section 578. Section 578 is a provision designed to protect the children of our servicemembers and specifically to protect them while they are at school from convicted pedophiles and other dangerous felons.

This is an issue I have been working on for 2½ years. My involvement resulted from hearing about a horrific story that is about a little boy name Jeremy Bell. The story begins at a school in Delaware County in Southeastern Pennsylvania. A schoolteacher there had molested several boys—had raped one. When the school officials and the local law enforcement figured out that something very, very wrong was going on, they unfortunately concluded that they just did not have

enough evidence. They did not have a strong case that they could bring against this teacher.

The school wanted to get rid of him, and tragically they were OK with letting him become someone else's problem. They wrote a letter of recommendation with the understanding that he would leave. This monster took the letter of recommendation, went across the State line to West Virginia, was hired as a teacher, and several years later he had become a principal. Of course, these people don't change their ways, and he didn't. He continued to molest and attack little boys. It ended when he raped and killed a 12-year-old boy named Jeremy Bell in West Virginia.

That time, justice caught up with this teacher. He is now serving a life sentence in jail for that murder, but of course it is too late for Jeremy Bell. Tragically, Jeremy Bell is not alone.

Since JOE MANCHIN and I first began this effort in this Chamber 2½ years ago, at least 1,150 school employees have been arrested across the country for sexual misconduct with the kids whom they are supposed to be looking after, they are supposed to be caring for, and they are supposed to be teaching—1,150. That is more than one a day. Of course, those are the ones where the officials knew enough to feel confident that they could make an arrest and actually press charges. How many more cases are actually happening? I would stress that these aren't just numbers. Every one of these 1,150 arrests represents a horrific tragedy and, in many cases, more than one.

Consider a few examples from my State of Pennsylvania.

Just this past January, the parents of children at Trinity High School in Washington County learned something absolutely horrific. They learned that a special education teacher there was charged with raping a little girl over a 15-year period. It started when she was just 3 years old, and they didn't discover this until she was 18. He had raped another little girl who was only 6 years old.

Or consider the Phoenixville Area Middle School in Chester County. In November 2013, the school's principal was sentenced to 2 years in prison for having child pornography. A month later, a special education and math teacher at the school was arrested for possessing child pornography, some involving very, very young children.

It is hard to even talk about these things. It is very uncomfortable to hear about this, to talk about this, but we can't shy away from this. If we think it is uncomfortable to think about it, talk about it, and hear about it, what about the experience for the child and the child's family? Every day it seems there is a new story.

In Pittsburgh, Plum High School, two teachers have pled guilty to having sex with younger students. A third one is awaiting trial on related charges. The DA is investigating allegations

that the school superintendent and principal might have ignored reports of abuse along the way.

Another teacher has been charged with witness intimidation. He made one of the victims, a girl who is a victim, stand up in front of the class, and he mocked her because she brought the issue to the attention of the authorities.

This is outrageous. This has to stop. I have vowed that I am going to do everything I can to try to provide greater security to our kids in our schools.

This past December we took a big step in the right direction, in my view. Congress passed legislation, and President Obama signed it into law. It was legislation in the broader education bill we passed that had my legislation which now explicitly prohibits, forbids, knowingly recommending one of these monsters for hire. So exactly the circumstances that gave rise to the murder of Jeremy Bell—where a school knows they have a pedophile, they discover it, and they still send along a letter of recommendation so that he can become someone else's problem—are now illegal, as well they should be. It is not as rare as you might think. In fact, the practice is so common that it is well understood in the circles of child advocates and the people who prosecute these crimes and who defend children when they have been victimized by these crimes. It is so common that it even has its own name. It is called "passing the trash." But, unfortunately, when we got that piece of our legislation passed, we were not successful in persuading all of our colleagues that we also had to have another element to this. To really keep our kids safe, we need to make sure that we have a rigorous background check and that people aren't able to skirt—and we know that does happen.

I promised I would be back on the Senate floor to try to address this weakness, this loophole—the fact that we don't have consistently rigorous background checks—to make sure that we are not hiring these creeps in the first place.

I am very pleased to announce today that I think we are very close to taking another step forward in this legislation, thanks to Chairman MCCAIN, who just left the floor. But the senior Senator from Arizona, the chairman of the Armed Services Committee, incorporated into this legislation, the national defense authorization bill, the bill that I introduced to protect our servicemembers' children. That is what it is called; it is called the Protecting Our Servicemembers' Children from Sexual and Violent Predators Act. It simply states that a school district that accepts Impact money—that is the funding we approve in Congress; it runs through the Defense Department, and it goes to the school districts that are educating the children of our servicemembers when they are on a base. What our legislation says is that such a school district has to have a safe en-

vironment for kids. That is all. They have to have a policy requiring criminal background checks for all the school workers, any adults, who have unsupervised contact with children. If a person applies for a job with such a school and it turns out they have been convicted—not alleged, but convicted of a serious crime, including murder, rape, or any violent or sexual crime against children—then such a person may not be employed at a school in a capacity where they would have unsupervised access to children. As I said, this applies only to those school districts that receive Federal Impact Aid; that is, those school districts that receive money to help compensate them for the fact that they are educating our military families' children. It is about 17 percent of America's school districts that receive this Federal Impact Aid. It is roughly 8.5 million kids.

The legislation also applies to the DOD-operated schools. The Defense Department operates its own schools to educate the children of our military personnel. To the credit of the Defense Department, it is already their own internal policy to require these appropriate background checks that are rigorous enough to make sure that we stop a violent predator from being hired in this capacity.

Because it is just internal policy, it could change, and enforcement could lapse. What our legislation does is codify it because this is the right thing to do. Let's codify it. Since it is the right thing to do and we are doing it at our DOD schools, let's also do it at the other schools that are educating our military families' kids.

I don't think this should even be controversial. Pennsylvanians whom I talk to don't think this is controversial. Of course, they think we should insist that our schools are at least as safe an environment as we can make them. While the men and women are providing enormous service to all of us—the sacrifice they make by wearing the uniform, committing to serving in our Armed Forces—don't we owe it to them to provide the level of protection that we can provide to their kids? I think we do.

In addition, it shouldn't be controversial because, substantively, this isn't anything new.

Last year every Member of Congress but one—the vote was 523 to 1, the House and the Senate—passed almost identical background check legislation with respect to daycare workers who worked for a daycare that got funding through the childcare and development block grant bill. In other words, we have already agreed. With 1 dissenting vote—out of 100 Senators and 435 House Members, there was 1 dissenting vote. Every other Senator and House Member on both sides of the aisle agreed that this level of background check security ought to be provided for very young kids. Why wouldn't we do it for slightly older kids—the kids who are in primary and secondary schools—as well?

Despite that, there is opposition. Just last week, the senior Senator from Illinois came to the floor to criticize my legislation. He stated: "This provision fails to provide adequate due process and civil rights protections for innocent individuals." I want to address this because I couldn't disagree more.

First, it is important to note that our legislation—the legislation that forbids the hiring of these pedophiles, people who have committed these terrible crimes against kids—applies only if the applicant has been convicted of a crime. If you have been alleged or rumored—that is not what the legislation contemplates; it is only someone who has been convicted.

The last time I checked, our criminal justice system was loaded with due process rights. In order to get a conviction, we have very elaborate processes that someone can avail themselves of, and of course they always do. So nobody has been convicted without having had the opportunity for all of us to pay for their lawyer to defend them, for instance, if they need to; to have a jury trial if they want to do that; all the civil rights guarantees throughout the Constitution. It is all there. Due process—they have already had enormous due process or they wouldn't have been convicted.

But our legislation goes a step beyond that. What we do is we say that the applicant is entitled to a copy of the background check, so they get full disclosure of whatever was discovered, and the school district must have an appeals process if it turns out the applicant is denied, because we acknowledge that it is conceivable that there could be a mistake. It could be like the wrong John Smith who is applying for a job at a school. There could be an error of some sort. In the first place, you have to have been convicted, and in the second place, you get to appeal. What more due process is necessary than that?

Well, I can tell you because we have had this debate before, and some on the other side have suggested that they want something that I don't even think qualifies as due process. It is a totally different category, but they call it due process. What they want is a carve-out. They want a minitrial. They want to give the convicted pedophile the opportunity to make the case for why an exception should be made in his case. It is unbelievable to me. How do I know this? Because last year 39 special interest groups sent a letter to the Senate asserting that it is unfair to deny even a convicted child molester a teaching job. They wrote this. I am going to quote from the letter briefly. It says:

We believe that individuals who have been convicted of crimes and have completed their sentences should not be unnecessarily subjected to additional punishments because of these convictions.

Let's think about what they are saying. What they are explicitly saying is that a person could admit to and be

convicted of raping a child, serve a sentence, walk out of prison, go down the road to the local elementary school, apply for a job as a teacher, and they should be hired. It is unbelievable.

I am not suggesting that the pedophile should never be eligible to do any work at all, never have any job. That is not what I am saying. But how about we keep them away from young kids? Is that really unreasonable? That is all we are asking for. That is what we are saying.

We have other colleagues who object to this notion, this legislative approach, on the grounds that it offends their sense of federalism. They think we should leave it to the States to decide whether and to what extent the States and school districts will protect kids from predators. I strongly disagree with that for many reasons. We might well have an extended debate about that, but let me just give two brief ones.

First, I think we have an oversight responsibility. I think the Pennsylvanians who send me to the Senate and know I am casting votes on how we are going to spend their tax dollars expect that I am providing some kind of oversight—such that, for instance, their tax dollars aren't used to hire a pedophile in a school. That would not be a controversial notion with my constituents.

The second thing is that the folks who are hung up on the federalism issue insist that every State is free to do what it wants to do. They have to be able to pass whatever laws—or not—as they see fit.

What about the military family who can't determine which State? They don't get to pick the State in which they are based—not always. They are in a State. It is not their native State. They are assigned to that base in a particular State, and they have to live with whatever the laws are there.

Don't we agree that every child in America deserves to have protection from these predators?

I do.

Our legislation doesn't go that far. I wish it did. We tried, and I am not going to give up. But can't we at least provide that security for the children of our military families? That is what our legislation does do.

Again, I want to thank Chairman MCCAIN. He has been a consistent advocate for providing this level of protection to children. He was a cosponsor of my legislation that prohibited passing the trash. His support was essential in getting it passed last year, and I am really proud of and grateful to him for working with me to incorporate the language of my legislation into our NDAA legislation.

I strongly urge my colleagues that it is past time to act on this. As I said, Senator MANCHIN and I have been pushing this for 2½ years, and in that time another 1,150 school employees have been arrested for sexual misconduct with the kids they are supposed to be taking care of.

Clearly, we are not doing enough. And we really need to ask ourselves: How much bigger does that number have to get? How many more children have to have their childhoods ruined? How many families need to be torn apart before we are willing to pass this measure? I would argue that we have seen more than enough, the children of America have seen more than enough, and the children of the men and women who wear the uniform of this country and who make the sacrifices to protect and defend all of us absolutely deserve this protection.

So I hope we will pass this Defense authorization bill with this language intact, and I once again express my appreciation to the chairman for putting it into the base text.

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. 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.

REMEMBERING MUHAMMAD ALI

Mr. MCCONNELL. Mr. President, over the weekend the world learned the sad news of the passing of Muhammad Ali. Ali was one of the preeminent athletes of the 20th century. His story was an American story. It is one that touched people in every corner of the world. It is one that began in my hometown of Louisville. Louisville is where he grew up. Louisville is where he fought his first professional fight. Louisville is where the Muhammad Ali Center stands today. It is a memorial to his legacy and to his life story. It is where mourners now lay flowers in his memory.

As people around the world honor "The Greatest," the spotlight shines bright upon his hometown. I wish to again add my condolences as well. I wish to again recognize a legend from Louisville who was more than just a boxer, he was an icon known for grace on his feet and power in his fists inside the ring and a great exuberance for life outside it.

Mr. President, after needless and inexplicable delay by colleagues across the aisle, we have begun consideration of the National Defense Authorization Act today and will work to pass it this week.

The NDAA authorizes funds aimed at meeting the combat-readiness needs of our armed services, maintaining our national security posture, and supporting defense health care and benefits for servicemembers and their families. It is an important measure we consider each year. It is especially critical today given the myriad of threats facing our country.

The next Commander in Chief, regardless of party, will take office facing a number of security challenges—

everything from instability in Libya, Syria, and Yemen, to a belligerent North Korea, to a newly aggressive Russia. It is imperative to do what we can now to better position our country to confront challenges currently facing us and to better prepare for those yet to come.

Ensuring military readiness and keeping Americans safe should be a top priority for all of us, so I would encourage my colleagues to put aside partisan politics and work together to bring this NDAA across the finish line this week. We may pass the bill on Friday, we may pass it sooner, but we will pass it this week. So let's all work hard to do so.

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.

50TH ANNIVERSARY OF THE AMERICAN CIVIL LIBERTIES UNION OF NEVADA

Mr. REID. Mr. President, today I wish to recognize the 50th anniversary of the American Civil Liberties Union, ACLU, of Nevada.

Since it was established in 1966, the ACLU of Nevada has been dedicated to protecting the civil rights and liberties of all Nevadans. The organization, which was founded in a living room by a group of volunteers, had humble beginnings, but has grown to include 2,000 members throughout the Silver State.

The ACLU of Nevada has been instrumental in defending voting, free speech, and other rights protected by the U.S. and Nevada Constitutions. The organization also works on other issues of importance to Nevadans, including privacy, public education, racial justice, criminal justice reform, and marriage equality. For instance, the ACLU of Nevada's efforts contributed to a successful outcome in the Nevada marriage equality case. Through public education, advocacy, and litigation, the ACLU of Nevada defends and advances the civil rights and liberties of Nevadans.

I commend the ACLU of Nevada for 50 years of exceptional service, and I applaud executive director Tod Story and his dedicated staff for their fine leadership of this organization. As the ACLU of Nevada begins its next chapter in protecting civil liberties in the Silver State, I wish the organization continued success.

ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms

sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

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

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA 22202-5408

Hon. BOB CORKER,
*Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16-17, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Australia for defense articles and services estimated to cost \$301 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

JENNIFER ZAKRISKI,
(For J.W. Rixey, Vice Admiral,
USN, Director.)

Enclosures:

TRANSMITTAL NO. 16-17

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Australia.

(ii) Total Estimated Value:

Major Defense Equipment* \$216 million

Other \$85 million

Total \$301 million

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Up to eighty (80) STANDARD Missile, SM-2 Block IIIB Vertical Launching Tactical All-Up Rounds, RIM-66M-09.

Up to fifteen (15) MK 97 SM-2 Block IIIB Guidance Sections (GSs).

Non-MDE: This request also includes the following Non-MDE: MK 13 MOD 0 Vertical Launching System Canisters, operator manuals and technical documentation, U.S. Government and contractor engineering, technical and logistics support services.

(iv) Military Department: Navy (AMM).

(v) Prior Related Cases, if any: AT-P-AYR-28 JUL 10-\$39,499,569, AT-P-LCY-30 APR 05-\$221,521,728, AT-P-GSQ-22 APR 11-\$58,842,285

(vi)

(vii) Sales Commission, Fee, etc. Paid, Offered, or Agreed to be Paid: None.

(viii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Annex attached.

(ix) Date Report Delivered to Congress: May 27, 2016.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Australia-SM-2 Block IIIB STANDARD Missiles

The Government of Australia requested a possible sale of:

Major Defense Equipment (MDE):

Up to eighty (80) STANDARD Missile, SM-2 Block IIIB Vertical Launching Tactical All-Up Rounds, RIM-66M-09.

Up to fifteen (15) MK 97 SM-2 Block IIIB Guidance Sections (GSs).

This request also includes the following Non-MDE: MK 13 MOD 0 Vertical Launching System Canisters, operator manuals and technical documentation, U.S. Government and contractor engineering, technical and logistics support services.

The total estimated value of MDE is \$216 million. The total overall estimated value is \$301 million.

Australia is one of the major political and economic powers in Southeast Asia, a key democratic partner of the United States in ensuring regional peace and stability, a close coalition ally in major/lesser regional contingency operations, and a close cooperative and international exchange agreement partner. It is vital to U.S. national interests that Australia develops and maintains a strong and ready self-defense capability. This sale is consistent with U.S. regional objectives.

The SM-2 Block IIIB missiles proposed in this purchase will be used for anti-air warfare test firings during Combat Systems Ship Qualification Trials for the Royal Australian Navy's three new Air Warfare Destroyers (AWD) currently under construction. The SM-2 Block IIIB missiles, combined with the Aegis combat systems in the AWDs, will provide significantly enhanced area defense capabilities over critical South East Asian air-and-sea-lines of communication. Australia has already integrated the SM-2 Block IIIA into its Perry-class FFGs and recently upgraded its Intermediate-Level Maintenance Depot at Defense Establishment Orchard Hills with new guided missile test equipment capable of maintaining the SM-2 All-Up Round. Australia will have no difficulty absorbing these new missiles.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractors will be Raytheon Missile Systems Company, Tucson, Arizona; Raytheon Company, Camden, Arkansas; and BAE of Minneapolis and Aberdeen, South Dakota. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this sale will not require the assignment of any U.S. or contractor representatives to Australia.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 16-17

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. A completely assembled STANDARD Missile-2 (SM-2) Block IIIB with or without a conventional warhead, whether a tactical, telemetry or inert (training) configuration, is classified CONFIDENTIAL. Missile component hardware includes: Guidance Section (classified CONFIDENTIAL), Target Detection Device (classified CONFIDENTIAL), Warhead (UNCLASSIFIED), Rocket Motor (UNCLASSIFIED), Steering Control Section (UNCLASSIFIED), Safe and Arming Device (UNCLASSIFIED), Autopilot Battery Unit (classified CONFIDENTIAL), and if telemetry missiles, AN/DKT-71 Telemeters (UNCLASSIFIED).