fewer judicial nominations than any time in recent history, and because of this inaction by the chairman of the Judiciary Committee, the Senate has confirmed fewer judges than in decades. We heard the report yesterday of how the Federal system of courts in our country is in disrepair. Why? Because the Judiciary Committee is processing none of the appointments President Obama has made.

What has the Judiciary Committee done instead? It has spent its time carrying out a political hit job on Secretary Clinton. Senator GRASSLEY has wasted countless dollars and staff time developing partisan opposition research that he hoped could be used to help Trump's candidacy against Secretary Clinton. It hasn't helped, but it has shortened the pocketbook of the American people. Senator GRASSLEY has been so desperate to drag Secretary Clinton's name through the mud that he even encouraged the FBI to leak an independent review of Secretary Clinton's use of email.

At every turn, the senior Senator from Iowa has used his committee for partisan purposes that benefit only one person: Donald Trump. There is no better example than the current vacancy on the Supreme Court. Rather than doing his constitutional duty and processing Merrick Garland's nomination, Chairman GRASSLEY took his marching orders from Trump, and Trump said: Delay, delay, delay. And that is exactly what the Senator from Iowa has done—delay, delay, delay.

Chairman GRASSLEY is hoping to run out the clock. He is hoping President Trump gets to nominate the next Supreme Court Justice. That is why last month Senator GRASSLEY said of Trump: ''I think I would expect the right type of people to be nominated by [Trump] to the Supreme Court.''

After Donald Trump's latest attack on the Judiciary, does Senator GRASSLEY really believe that Trump is the right man to pick nominees to the Supreme Court or any court? Donald Trump said that a Federal judge should be disqualified from presiding over a case because of his Mexican heritage, even though he was born in Indiana. He said the same would apply if the judge were Muslim. Does Senator GRASSLEY believe Trump's comments were racist? This is a place for the senior Senator from Iowa to start his quest for fairness.

The Republican junior Senator from Nebraska agrees it was racist. This is what he tweeted yesterday: ''Public Service Announcement: Saying someone can't do a specific job because of his or her race is the literal definition of 'racism.' '' The junior Senator from South Carolina, also a Republican, called Trump's remarks ''racially toxic,'' but what does the senior Senator from Iowa say? Zero, nothing.

Does the chairman of the Judiciary Committee agree with Donald Trump? Does Senator GRASSLEY also believe judges should face a religious test? The senior Senator from Iowa said he trusts Donald Trump's judgment. He said, and I repeat: ''He's building confidence with me.''

After everything we have heard from Donald Trump—all of his vile, unhinged rants—does Senator GRASSLEY honestly have confidence that Donald Trump should pick the next Supreme Court Justice? I don't trust Trump to make that decision, the people of Iowa don't, and America doesn't. Senator GRASSLEY must stop using his committee to do Trump's bidding. He must stop using the once-proud Judiciary Committee as an extension of the Trump political campaign.

Instead of continuous delay, delay, delay, Chairman GRASSLEY should give Merrick Garland a hearing and a vote, but do it now. Waiting for Donald Trump to choose the ninth member of the Supreme Court is not the answer.

I yield the floor.

RESERVATION OF LEADER TIME

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

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 2943, which the clerk will report.

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.

Pending:

McCain amendment No. 4229, to address unfunded priorities of the Armed Forces.

The PRESIDING OFFICER. The Senator from Maine.

CYBER SECURITY AND OUR ELECTRIC GRID

Mr. KING. Mr. President, at 3:30 in the afternoon on December 23 of last year, about a half hour before sunset, the lights started to go out in western Ukraine. The power started to go out. The operator in one of the Ukrainian powerplants noticed, to his horror, that he no longer controlled the cursor on his computer screen. The cursor moved of its own accord and started opening dialogue boxes and opening breakers.

The operator tried frantically to get back into the computer, only to find he was locked out and the password had been changed. At the same time, the call center of this utility in Ukraine was blocked by thousands of fake calls, so the utility itself could not know what was happening in the countryside. The backup generators around western Ukraine also went down. Malware was installed on the operating computers and a system called KillDisk was installed, which wiped the disks and rendered the computers useless.

As a final insult, the power in the power control system itself went off and the operators were literally left in the dark. This was the first major cyber attack of a public utility anywhere in the world. It was sophisticated, it was well planned, and it was devastating. Within a few minutes, 230,000 people in the country of Ukraine were without power.

That attack could have occurred in Kansas City, in San Jose, in New York, or here in Washington. Ever since I have served in this body as a member of the Armed Services and Intelligence Committees, I have heard repeated warnings from every public official involved with intelligence and national security that an attack on our critical infrastructure is not possible, it is likely.

How many shots across our bow, how many warning shots do we have to endure? Sony, the OPM, insurance companies, and now the nightmare scenario of an electric grid attack.

We can learn something from what happened in the Ukraine, and there is a piece of good news and a lesson for us. The attack, which left 230,000 people without power, only persisted for about 6 hours. The interesting part of the scenario of this development was that one of the reasons they were able to get the power back on so fast was because the Ukrainian grid was not up to modern—I hesitate to say ''standards''—practices in terms of its interconnectedness and its digitization. There were old-fashioned analog switches, and the most old-fashioned analog switch of all, a human being, who could actually throw breakers and get the system back online.

However, in this country we are not so lucky, and I use that in a very sort of backward way because we have the most advanced grid structure in the world. We are more digital, we are more automated, we are more interconnected, but that makes us more vulnerable. That makes us more vulnerable. We are asymmetrically vulnerable because we are asymmetrically interconnected. We keep getting these warning shots. A lot is being done by our utilities and by our government agencies to work on protecting this country from a devastating cyber attack. But I know of no one who would assert that enough is being done and that we are ahead of this threat.

I introduced a bill yesterday, along with three cosponsors: Senator RISCH from Idaho, Senator COLLINS from Maine, and Senator HEINRICH from New Mexico—all of whom, along with myself, are members of the Intelligence Committee, where we hear about these threats practically weekly. The bill is pretty straightforward. It tasks our great National Labs with working with the utilities over a 2-year period to determine, not new software patches and new complexity, but if we can protect

our grid by returning to, at least at critical points in the grid, the old-fashioned analog switches or good-old Fred, who has to go and throw a breaker with his dog. It may be that going back to the future, if you will—going back to the past and simplifying some of these critical connection points may be the best protection we can have. The idea is for the Labs to put their best people on this and for the utilities to do the same on a voluntary basis.

I might add that there is nothing mandatory about this bill. We are trying to work on finding some solutions that are implementable in the short run to protect us from this grave threat. Once we get a report back, hopefully we will be able to implement this legislation across the country.

I am tired of hearing warnings. It is really time for us to act, and this is a straightforward bill that I hope can move through this body at the speed of a cyber attack so that we can then have the defense we have to have.

An attack on our critical infrastructure—particularly the electric infrastructure across this country—would, in fact, be devastating and would undoubtedly involve a loss of lives. I do not want to be here on a darkening winter afternoon and see the lights going off across America—the power to hospitals, the power to our transportation system, the power that makes our lives what they are today. This is not an abstract threat. We know from the Ukraine that the capability exists to do exactly that and take down the grid. We must act expeditiously and directly to counteract that threat. If we do not do so, we are failing our responsibility to the people of America, our constituents, and the United States.

I urge rapid consideration of this bill, and I look forward to its consideration at the Energy Committee. Three of the four sponsors are also members of the Energy Committee as well as the Intelligence Committee, and I am hoping we can move this rapidly so we can begin the process of countering what is not an abstract threat but a direct, clear, and present danger to the future of this country.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I am here this morning to urge my colleagues to support an amendment that I have offered to the National Defense Authorization Act to extend the Afghan Special Immigrant Visa Program, also known as the SIV Program.

The SIV Program gives Afghans who supported the U.S. mission in Afghanistan and now face grave threats because of their willingness to help our service men and women on the ground in Afghanistan the ability to come to the United States. To be eligible, new applicants must demonstrate at least 2 years of faithful and valuable service. To receive a visa, they must also clear a rigorous screening process that includes an independent verification of their service and then an intensive interagency security review.

People may ask: Who are these Afghans? Let me give a few examples of the extraordinary service they have provided.

The first person I will talk about—and I can't use his name for privacy and security reasons—worked as an interpreter for U.S. Special Operations Command, SOCOM, from 2005 to 2016—11 years. He originally applied for a special immigrant visa in 2012 and continued to work for SOCOM during the interim. One of the applicant's direct supervisors, the commander of 1st Battalion, Third Special Forces Group, stated that the applicant's brother was murdered by extremists—probably Taliban—due to the applicant's work for the U.S. Government, and the applicant himself has been wounded several times while serving.

A second individual worked as the head interpreter for a provincial reconstruction team, or PRT team, for years. Because of his service, his children can't go to school and the lives of his family members are in danger. The applicant's PRT commander was one of multiple direct Defense Department supervisors to submit letters of recommendations on his behalf testifying to his loyal and valued service.

A third interpreter served the Defense Department from 2008 to 2015. He left work in December following an IED attack which robbed him of one eye and his vision in the other. He applied for his special immigrant visa after being wounded and is in the beginning stages of the extensive interagency vetting process.

Clearly, the service of these individuals has been critical to our successes in Afghanistan, and in at least a handful of other cases, SIV recipients' commitment to the U.S. mission was so strong that they found ways to contribute even after they arrived in the United States. One promptly enlisted in the Armed Forces and later worked as a cultural adviser to the U.S. military. Another graduated from Indiana University and Georgetown and has worked as an instructor at the Defense Language Institute. A third, who worked as a senior adviser at the U.S. Embassy, now serves on the board of a nonprofit, working to promote a safe and stable Afghanistan.

These contributions in Afghanistan and beyond help explain why senior U.S. military officers and diplomats are so supportive of the Afghan SIV Program.

Here is what the current commander of U.S. forces in Afghanistan, General Nicholson, wrote recently about the need to reauthorize the SIV Program:

> These men and women who have risked their lives and have sacrificed much for the betterment of Afghanistan deserve our continued commitment. Failure to adequately demonstrate a shared understanding of their sacrifices and honor our commitment to any Afghan who supports the International Security Assistance Force and Resolute Support missions could have grave consequences for these individuals and bolster the propaganda of our enemies. . . . Continuing our promise of the American dream is more than in our national interest, it is a testament to our decency and the long-standing tradition of honoring our allies.

Last year, General Nicholson's predecessor, General Campbell, wrote a similar letter affirming his strongest support for the SIV Program and urging Congress to ''ensure that the continuation of the SIV program remains a prominent part of any future legislation on our efforts in Afghanistan,'' adding that the program ''is crucial to our ability to protect those who have helped us so much.''

Their view is shared by senior diplomats as well. Ambassador Ryan Crocker, who served in Afghanistan from 2011 to 2012, recently wrote that ''taking care of those who took care of us is not just an act of basic decency, it is also in our national interest. American credibility matters. Abandoning these allies would tarnish our reputation and endanger those we are today asking to serve alongside U.S. forces and diplomats.

I see that my colleague Senator MCCAIN is on the floor. I know my colleague remembers, as I do, watching all of those Vietnamese holding on to those helicopters that were leaving when America pulled out of Vietnam because they knew what their fate was going to be once America left that country. That is not something we can allow to happen in future conflicts. When we make a promise to those people who helped us on the ground, we need to abide by that promise. We need to make sure those people who helped our service men and women are able to get to this country and are not killed by the Taliban and other enemies of the United States and Afghanistan.

Yet, despite these compelling cases and despite the persuasive arguments of our senior military and civilian leaders, the Senate NDAA does not currently reauthorize and extend the SIV Program or allow for additional visas because of the objections of some few in this body. This is particularly problematic because we are going to issue all of those unallocated SIVs by the end of this year even while there are thousands of Afghans at some stage in the application process and new applicants still beginning. In effect, this means that without congressional action, the SIV Program will sunset around December and thousands of Afghans who have stood alongside our military and other government personnel are at severe risk. I hope this body will decide that this is unacceptable and that we have to make sure we support those people who have supported our men and women on the ground and who have, in fact, died to support our men and women on the ground.

I am happy to join Senator MCCAIN and Senator JACK REED, the chair and ranking member of the Armed Services Committee, in trying to pass this

amendment and make sure we support those people who supported us.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I will be brief.

I thank the Senator from New Hampshire for her continued advocacy for these individuals who literally placed their lives on the line to assist us in combating the forces we have been struggling against for now these many years. These individuals deserve our thanks, but more importantly, they deserve the ability to come to the United States of America. According to our military leaders, their lives are in danger. They are the first target of the enemy because the enemy wants revenge against those who helped Americans, and there is no doubt in the minds of our military leaders that these individuals literally saved the lives of the men and women who are fighting in Afghanistan and Iraq on our behalf.

I believe we should actually have a voice vote, and if necessary, have a vote if there is any controversy associated with this legislation.

If America is going to seek the assistance of individuals who are willing to help us and then abandon them, then we have a very serious moral problem.

I thank the Senator from New Hampshire for her continued advocacy. I hope we can get this issue resolved as soon as possible.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

Mr. MCCONNELL. Mr. President, the National Defense Authorization Act before us is important for our troops, wounded warriors and veterans, and national security.

One way it will help keep Americans safe is by renewing clear prohibitions on President Obama's ability to move dangerous Guantanamo terrorists into our country or release them to unstable regions like Libya, Yemen, and Somalia.

Our country faces the most ''diverse and complex array of crises'' since World War II, as Henry Kissinger observed last year, but President Obama nonetheless seems focused on pursuing a stale campaign pledge from 2008. The President should spend his remaining months in office working to defeat ISIS. He should work with us to prepare the next administration for the threats that he is going to leave behind. He should not waste another minute on his myopic Guantanamo crusade.

Just about every detainee that could feasibly be released from the secure detention facility has already been released. Some have already returned to the fight, just as we feared. Some have even taken more innocent American life, according to the Obama administration. But the bottom line is this. The hard core terrorists who do remain are among the worst of the worst—the worst of the worst.

Here is how President Obama's own Secretary of Defense put it:

> [T]here are people in Gitmo who are so dangerous that we cannot transfer them to the custody of another government no matter how much we trust that government. I can't assure the President that it would be safe to do that.

There is Khalid Shaikh Mohammed, the mastermind behind 9/11. He has declared himself the enemy of the United States. There is the 9/11 coordinator who was planning even more strikes when he was captured. There is Bin Laden's former bodyguard, the terrorist who helped with the bombing of the USS *Cole* and trained to be a suicide hijacker for what was to be the Southeast Asia portion of the 9/11 attacks. These terrorists are among the worst of the worst. They belong at a secure detention facility, not in facilities here in our own communities, not in unstable countries where they are liable to rejoin the fight and to take even more innocent life.

Have no doubt, there are detainees who would almost certainly rejoin terrorist organizations if given that opportunity. Here is what the Office of the Director of National Intelligence found in a report just this year: ''Based on trends identified during the past 11 years, we assess that some detainees currently at [Gitmo] will seek to reengage in terrorist or insurgent activities after they are transferred.''

So, look, the next Commander in Chief, whether Democrat or Republican, will assume office confronting a complex and varied array of threats. That is why we must use the remaining months of the Obama administration as a year of transition to better posture the incoming administration and our country. What we should not be doing is making it even more challenging for the next President to meet these threats.

Releasing hard core terrorists was a bad idea when Obama was campaigning in 2008, and it is even a worse idea today. We live in a complex world of complex threats. The NDAA before us will renew clear prohibitions against administration attempts to transfer these terrorists to the United States on its way out the door. We don't need to close a secure detention center. We need to ensure the American people are protected. Passing the legislation before us represents an important step in that direction. It will help position our military to confront the challenges of tomorrow. It will help support the men and women serving in harm's way today.

I want to thank Chairman MCCAIN of the Armed Services Committee for his extraordinary work on this very important bill, and I thank Senator REED, the ranking member, as well.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Mr. President, do the math. A Federal prisoner held in a Federal prison in America today costs us about $30,000 a year. The most serious and dangerous criminal prisoners held in the Federal prison system are put in supermax facilities for $86,000 a year. That is the cost. Not a single prisoner has ever escaped from a supermax facility in the United States—ever. It costs $30,000 for routine prisoners and $86,000 for the most dangerous.

What does it cost us to incarcerate one detainee each year at Guantanamo? It costs $5 million apiece—$5 million for each detainee. The budget to keep Guantanamo open is about $500 million a year, and we have fewer than 100 detainees there, and there is a request for another $200 million in construction at Guantanamo. So when Senators come to the floor and say we have got to keep Guantanamo open for fewer than 100 detainees, one obviously has to ask the question: Is there another place they can be held just as safely, just as securely, at considerably less cost? The answer is obvious. The answer is clear. The supermax Federal prisons can hold anyone convicted of terrorism, serial murder, or heinous crimes, and can hold them securely without any fear of escape.

The argument was made by the Senator from Kentucky: Well, if we are going to put terrorists in prisons across America instead of Guantanamo, that is a danger to the community. Really?

I represent the State of Illinois. We have the Marion Federal Prison in southern Illinois. We have a lot of good men and women who work there. What are we doing? For $30,000 a year, we are holding convicted terrorists in the Marion Federal prison. I have been a Senator for Illinois for 20 years. How many times have I received complaints that terrorists were being incarcerated at the Marion Federal penitentiary? None—not one, not one time.

So for the symbol of maintaining Guantanamo, we are going to continue to spend $5 million a year per detainee. This bill before us, the Defense authorization bill, will continue that.

If we are looking to save some money that taxpayers are giving to our government and perhaps should be spent in better ways, let's start with Guantanamo. The President is right that if they are a danger to America and the world, they could be safely held in other prisons across the United States at a fraction of the cost of what we are spending at Guantanamo. Those who call themselves fiscal conservatives cannot ignore that obvious argument.

Let me say a word. I support Senator SHAHEEN's provision when it comes to the Afghans who helped us. It is a good provision. These men and women risked their lives for us and for the men and women in uniform. We need to allow them to come safely to the United States and be in a position where they can have peace of mind that they are not going to be killed because they are friends of America. I think her provision is a good one. I am anxious to support it.

Let me just say on the state of play on amendments that I have an amendment that I consider to be very important. I offered it over a week ago, so Members have had more than enough time to take a look at it. I will describe it in very simple terms, instead of going into a long explanation, although I certainly have one ready.

Basically, within this bill—and S. 2943, the National Defense Authorization Act, is a big bill—there is about $524 billion in spending for our Department of Defense. I want America to always be safe, always have the best, and I want us to invest in the men and women of our military because we believe in them, their families, and our veterans.

There is a provision in this bill, though, that troubles me greatly. It is an effort to eliminate a program known as the Congressionally Directed Medical Research Programs. How big is this medical research program? It is $1.3 billion. It is less than two-tenths of 1 percent of the total expenditure for the Department of Defense.

Is it important? I think it is very important. For 25 years, the Department of Defense medical research has come through with breakthrough financing to eliminate concerns, and it gives hope to members of the military, their families, and to everybody living across America.

I remember when it started. I was a Member of the House of Representatives. It was 1992. One group came forward—the Breast Cancer Coalition. They said: We need a reliable place to turn for a steady investment in breast cancer research. That is what started the program.

It is true that breast cancer is not limited to the military. But it is also true that there is a higher incidence of breast cancer among women in our military than in the general population for reasons we still don't understand. So is this an important issue to the military and the rest of America? Of course, it is. Over the last 25 years, we have invested more than $3 billion in breast cancer research through this program. Has it been worth it? I can tell you it has. Through their research, they developed a drug called Herceptin. The Department of Defense medical research developed this drug Herceptin to fight breast cancer.

One of my colleagues here in the Senate told me this morning that the life of his wife was saved by this drug, Herceptin. I was downstairs for a press conference just a few minutes ago. Another woman came up to me and said that her life was saved. She was diagnosed with breast cancer, and Herceptin saved her life. That was a part of the investment in the Department of Defense medical research program that paid off. I can go on—and I will later—about other investments that have paid off, not just for the members of the military and their families but for all of America.

What is proposed in this bill is the largest cut in medical research since sequestration in Congress. We asked the Department of Defense: If the provisions of this bill that are being asked for are put in place, what impact will it have on medical research programs in the Department of Defense? They said it would effectively eliminate them.

This proposal in this bill will swamp medical research programs in the Department of Defense with more redtape than they have ever seen. An example of this is that this Department of Defense authorization bill calls for an annual audit of every entity applying for medical research grants from the Department of Defense. The audit requirements are the same as for the largest defense contractors in the United States. We have never held other entities other than the largest defense contractors to these standards. It will require an additional 2,400 audits a year by the Department of Defense.

Well, does the agency that does the auditing have the extra personnel? Do they have work that needs to be done? It turns out that they have $43 billion in existing contracts that have not been audited, and this bill will pile on 2,400 more audits. It will slow down any effort to promote medical research, and it will dramatically increase the overhead costs for that medical research.

Surely, there must be some scandal in this program that led to the conclusion that we need all this redtape. But the answer is no. The close scrutiny and investigation of the Institute of Medicine and other entities have found that this program over the years has been a good program. It has had some mistakes, but only a handful when you look at the thousands of medical research grants that have been given.

I am going to ask for an opportunity to offer this amendment to strike the provisions which basically kill the Department of Defense medical research program that is directed by Congress.

We don't earmark what entities are going to get the grants. It is a competitive, peer-reviewed process. I want to make sure this amendment gets a vote, and, after that vote, I will be more than happy to move forward on all the amendments on this bill. It is an important bill, and I hope we can pass it at the end of the day.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, let me assure the Senator from Illinois that we were trying to get the language of a companion amendment to his amendment approved by that side of the aisle so that we can move forward with the amendment of the Senator from Illinois. Hopefully, we can get that language as soon as possible so that we can take up the formal debate on his amendment.

In the meantime, in response to the comments of the Senator from Illinois, I have seen the latest polling data, and the approval of Congress is at about 14 percent—something like that. I have not met anyone lately from the 14 percent that approve of Congress.

One of the major reasons is, of course, that they believe we have wasted their defense dollars by the billions and have wasted their taxpayer dollars by the billions. There is no greater example of that than what has happened with the so-called medical research.

Every single one of these dollars probably goes to a worthy cause. Unfortunately, about 90 to 95 percent of that money has nothing to do with defense.

Why would the Senator from Illinois and so many, overwhelmingly, take the money that is earmarked for the men and women who are serving when the effects of sequestration are causing our leadership in the military to say that we are on the ragged edge of our capability to defend the Nation and when the Commandant of the Marine Corps and the Chief of Staff of the Army have said that we are putting the lives of Americans at greater risk because we don't have sufficient funding. Instead, we are taking $2 billion out of defense money and putting it into programs that have nothing to do with defense. Why is that?

One would ask why would Congress take money from defense and put those monies into programs that have nothing to do with defense? It is called the Willie Sutton syndrome. That is when the famous bank robber was asked why he robbed banks. He said, ''That is where the money is.'' That is exactly what we are seeing here.

We saw the Willie Sutton syndrome begin in 1992. In 1992, there was $25 million that was designated for medical research. That was $25 million in 1992. Today, we now are going to have almost—last year, the funding increased by 4,000 percent, from $25 million in 1992 to $1 billion last year. So if you ever have seen a graphic example of the Willie Sutton syndrome, it has to be this. Is there anyone who is opposed to breast cancer research? Is there anyone who is opposed to medical research for so many important challenges to the health of our Nation? Of course not. Of course not.

But what the Senator from Illinois and the appropriators have done, year after year after year, is exactly this: OK. Here we go. There is $200 million. Here we are—reconstructive transplants, genetic studies of food allergies, cooperative epilepsy, chiropractic clinical trials, muscular dystrophy, peer-reviewed vision, peer-reviewed Alzheimer's, bone marrow failure, multiple sclerosis, and on and on.

All of these are worthy causes. They have nothing to do with the defense of this Nation. That is the problem with this. I will probably lose this vote. The Senator from Illinois will probably succeed because there are so many special interests that are involved. But don't say this is for the defense of this Nation. What it is all about is finding money from the largest single appropriations bill to put into causes that,

by all objective observers, should be taken out of the Health and Human Services account.

Unfortunately, there is not enough money in the Health and Human Services account. So guess what. Take it out of defense. Meanwhile, we don't have enough troops trained, and we don't have enough to pay for their deployments. In case you missed it, there are stories about the squadron down in South Carolina—marines—where they are robbing parts from planes, where an Air Force squadron comes back with most of their aircraft not capable of flying, with only two of our brigade combat teams able to be in the first category of readiness—only two—because they don't have enough money for training and operations and maintenance.

But we are going to take billions out, and we are going to give it to autism, lung cancer, ovarian cancer. All of those are worthy causes. Now we have lobbyists from all over the Nation coming up: Oh, they are going to take away money from ''fill in the blank.'' They are all angry. I am not trying to take the money from them. I am saying that the money should not come out of defense. I am saying that to defend this Nation, every single dollar is important to the men and women who are defending this Nation and fighting and dying as we speak.

So I congratulate the Senator from Illinois as every year, just about, the money for medical research has gone up from an initial $25 million in 1992 to $1 billion this year, a 4,000-percent increase. Let me repeat. Spending on medical research at DOD—nearly 75 percent—has nothing to do with the military, and it has grown 4,000 percent since 1992.

Now we can talk to all the lobbyists who come in for these various and very important medical research projects and say: We took care of you. I say to the Senator from Illinois: Take care of them from where it should come, which is not out of defending this Nation. In 2006, the late Senator from the State of Alaska, Ted Stevens, under whose leadership the original funding for breast cancer was added, said that the money would be ''going to medical research instead of the needs of the military.'' During the floor debate on the annual Defense appropriations bill, Senator Stevens had this to say:

> We could not have any more money going out of the Defense bill to take care of medical research when medical research is basically a function of the NIH. It is not our business. I confess. I am the one—

I am quoting Senator Stevens now.

> I confess, I am the one who made the first mistake years ago. I am the one who suggested we include some money for breast cancer research. It was languishing at the time. Since that time, it has grown to $750 million. In the last bill we had dealing with medical research, that had nothing to do with the Department of Defense.

I want to emphasize again that I will support funding for every single one of these projects. I will support it when it comes out of the right account and not from the backs of the men and women who are serving in the U.S. military. It has to stop. It has to stop. So this year, the NDAA prohibits the Secretary of Defense and the service Secretaries from funding or conducting a medical research and development project unless they certify that the project would protect, enhance, or restore the health and safety of members of the Armed Forces. It requires the medical research projects be open to competition and comply with DOD cost accounting standards.

It does not seem to me that that is an outrageous demand. I know my colleagues are going to come and say: Oh, we need this money because of ''fill in the blank,'' and this is vital to the health of America. I am all for that. But don't take it out of the ability of the young men and women to serve this Nation in uniform. That is what the amendment of the Senator from Illinois does.

If this amendment passes, nearly $900 million in the defense budget will be used for medical research that is unrelated to defense and was not requested by the administration. One would think that if this is so vital, the administration would request it. They have not. They have not.

If this amendment passes—and it will, I am confident—$900 million will be taken away from military servicemembers and their families. If this amendment passes, $900 million will not be used to provide a full 2.1-percent pay raise for our troops. It will not be used to halt dangerous reductions in the size of our Army and Marine Corps. It will not be used to buy equipment so that our airmen don't have to steal parts from airplanes in the boneyard in Arizona to keep the oldest, smallest, and least ready Air Force in our history in the air.

As I said, many of the supporters of this amendment have opposed lifting arbitrary spending caps on defense unless more money is made available for nondefense needs. So, the Senator from Illinois—if I get this straight—wants to add nearly $1 billion in spending for medical research but is also opposed to increasing spending to a level of last year for defense spending. That is interesting.

With these caps still in place, which we are going to try to fix later on in this bill, the Senator wants to take nearly $1 billion of limited defense funding to spend on nondefense needs. So I say to my colleague, the Senator from Illinois: It is not that he is wrong to support medical research. No one is attacking that. I can guarantee you, the first thing the Senator from Illinois is going to say: Well, we are going to take this money away from medical research. I am not. I am saying that it shouldn't come from the backs of the men and women who are serving this Nation.

I would ask him not to say that because it is not the case. If he wants to add that money into the Health and Human Services account, I will support the amendment. I will support it. I will speak in favor of it. He has proposed the wrong amendment to support medical research. Instead of proposing to take away $900 million from our military servicemembers, he should be proposing a way to begin the long-overdue process of shifting the hundreds of millions of dollars of nonmilitary medical research spending out of the Department of Defense and into the appropriate civilian departments and agencies of our government.

Let me be clear again. This debate is not about the value of this medical research or whether Congress should support it. Any person who has reached my age likely has some firsthand experience with the miracles of modern medicine and the gratitude for all who support it. I am sure every Senator understands the value of medical research to Americans suffering from these diseases, to the families and friends who care for them, and all those who know the pain and grief of losing a loved one.

But this research does not belong in the Department of Defense. It belongs in civilian departments and agencies of our government. So I say to my colleagues, the NDAA focuses the Department's research efforts on medical research that will lead to lifesaving advancements in battlefield medicine and new therapies for recovery and rehabilitation of servicemembers wounded on the battlefield, both physically and mentally.

This amendment would harm our national security by reducing the funding available for military-relevant medical research that helps protect service men and women on the battlefield and for military capabilities they desperately need to perform their missions. It would continue to put decisionmaking about medical research in the hands of lobbyists and politicians instead of medical experts where it belongs.

So what is happening right now as we speak? Phones are ringing off the hook: We need this money for ''fill in the blank.'' We have to have this money. It is the end of Western civilization unless we get it. I support every single one of these programs. There is not a single one that I would not support funding for. But when you take it away from the men and women who are serving in the military for nonmilitary purposes, I say it is wrong.

I will be glad to have the vote as soon as the other side clears our amendment process. But, again, I ask my colleagues: Don't distort this debate by saying we are trying to take away this medical research. What we are trying to say with the bill is that we are trying to do everything we can to take every defense dollar and make sure that we help the men and women who are serving in conflicts that are taking place throughout the world.

We are not against the reason it was adopted by the Armed Services Committee—against this funding. We are

against where it is coming from. So let's do something a little courageous for a change around here. Let's say: No, we will not take this money out of defense, but we will take it out of other accounts which are under the responsibility of the Senate and the Congress of the United States. That is all I am asking for. That is all.

Obviously it probably will not happen. Every advocate for every one of those programs has now been fired up because they have been told that we are going to take away their money. We are not going to take away their money; we want their money coming from the right place. I would even support increases in some of this spending, but it is coming from the wrong place.

As I said at the beginning of my remarks, it is the Willy Sutton syndrome, from $25 million in 1992 all the way up to here—all the way here—now $1 billion, a 4,000-percent increase. So I am sure that Senator after Senator will come to the floor: Oh, no. We can't take away this money from ''fill in the blank.'' This is terrible for us to do this. It is not terrible for us to do this.

The right thing to do is not to deprive the men and women who are serving in the military of $1 billion that is badly needed for readiness and for operations to keep them safe. That is what this debate is all about. I expect to lose it.

I congratulate the lobbyists ahead of time. I congratulate the Senator from Illinois ahead of time. But don't be surprised when the American people someday rise up against this process where we appropriate $1 billion for something under the name of national defense that has nothing to do with national defense.

I yield the floor.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Mr. President, this Senator will never apologize for medical research—never. I certainly understand the National Institutes of Health have the primary responsibility for medical research. I am pleased to report that at this moment in the subcommittee, we are marking up an increase of more than 5 percent in the funding for that important agency.

I thank Senator BLUNT from the other side of the aisle and Senator MURRAY from our side of the aisle for finding the resources for that. But to argue that because we are putting money into the National Institutes of Health we can take money away from the Department of Defense ignores the obvious. We take money away from the Department of Defense medical research program at the expense of men and women in the military, their families, and veterans.

Look at the example the Senator from Arizona used. He stood and he pointed to his chart and he said: Well, there is even spending here for epilepsy and seizures. Now, why would that be? We have to spend money on our military and their issues.

Well, let's take a look. Since the year 2000, over 300,000 Active-Duty servicemembers have experienced a traumatic brain injury. Currently, the prevalence of post-traumatic epilepsy among those members who have suffered a brain injury is unknown. There are few risk factors that are known to guide decisionmaking in diagnosing the treatment of the disease. According to the American Epilepsy Society, over 50 percent of TBI victims—these are military members who have been exposed to traumatic brain injury with penetrating head injury from the Korean and Vietnam wars—have developed post-traumatic epilepsy. For the Senator from Arizona to point to this as one of the wasteful areas of medical research is to ignore the obvious: that 300,000 of our men and women in uniform have suffered from traumatic brain injury. And we know from past experience that many of them end up with post-traumatic epilepsy. To argue, then, that this medical research into epilepsy and seizures has no application or value to members of the military is basically to ignore the obvious.

What we have tried to do in establishing this program is, first, we cannot earmark that any grant be given to any institution. All we can do is suggest to the Department of Defense areas that we think have relevance to our military. They then have to make the decision. Each and every grant has to pass a threshold requirement that it have relevance to the military and their health.

Well, it turns out there are many things that are concerning. Would you guess that prostate cancer is a major concern in the military as opposed to the rest of our population? You should because the incidence of prostate cancer among those who serve in the military is higher than it is in the general population. Why is that? Is it an exposure to something while they served? Is there something we can do to spare military families from this cancer by doing basic research? I am not going to apologize for that, nor am I going to apologize for the breast cancer commitment that has been made by this Department of Defense medical research program.

The Senator from Arizona is correct. Groups are coming to us and saying: This Department of Defense medical research is absolutely essential.

I just had a press conference with the Breast Cancer Coalition. There has been $3 billion invested in breast cancer research through the Department of Defense over the last 24 years. As I said earlier, it led to the development of a new drug that saved the lives of breast cancer victims—Herceptin. The drug has saved lives. To argue that this money was not well spent, should have been in another category, didn't apply here and there—let's look beyond that. Let's consider the lives saved, not just of men and women across America but of members of families of those who have served our country.

The list goes on and on. I could spend the next hour or more going through every single one of them. The provision of the Senator from Arizona in his own bill is designed to eliminate the medical research programs at the Department of Defense. That is not my conclusion; that is the conclusion of the Department of Defense. He has put in so much redtape and so many obstacles and added so much overhead and so much delay that he will accomplish his goal of killing off medical research at the Department of Defense directed by Congress. That would be a terrible outcome—a terrible outcome for people who are counting on this research.

No apologies. I am for increasing the money at the National Institutes of Health. I have said that already. And I am for increasing money at the Department of Defense. It has been money well spent and well invested for the men and women of our military.

I might add and let me first acknowledge that my colleague from Arizona has a distinguished record serving the United States in our U.S. Navy. We all know his heroic story and what he went through. So I am not questioning his commitment to the military in any way whatsoever. But I will tell you that veterans organizations and others stand by my position on this issue. When we had the press conference earlier, it wasn't just the Breast Cancer Coalition; the Disabled American Veterans was also there asking us to defeat this provision in the bill that would put an end to the Department of Defense medical research programs.

For the good of these families, all of the members of these families in the military, as well as our veterans, let's not walk away from this fundamental research.

The PRESIDING OFFICER (Mr. FLAKE). The Senator from Arizona.

Mr. MCCAIN. Mr. President, I think the Senator from Illinois and I have pretty well ventilated this issue, and once we get an agreement on votes, we could schedule a vote on it. I think we are very well aware of each other's positions. I have been talking about this issue for quite a period of time, as I watch our defense spending go down and our ''medical research'' go up.

The argument of the Senator from Illinois is that men and women in the military are subject to all of these various health challenges, ranging from arthritis to vascular malfunctions, et cetera, because they are Americans, because they are human beings? Yes, we agree that members of the military are subject to all of these needs and earmarks for various illnesses that affect Americans.

And by the way, traumatic brain injury causes a whole lot of things. So to say that epilepsy is the result of traumatic brain injury, there are all kinds of things that are the result of traumatic brain injury, and I strongly support funding—and so have many others—for research on traumatic brain injury. We know the terrible effects of

that on our veterans. But there are, at least on this list, 50 different diseases and medical challenges, and connecting that all to defense takes a leap of the imagination and is, obviously, ridiculous. It is ridiculous. Here we have pancreatic cancer, Parkinson's, and all of these. Veterans are subject to those, yes, but it should not be in the Defense bill and it should not be taken out of defense money, particularly in this period of need.

So if the Disabled American Veterans and every veteran organization is told they will not have funding for these programs, of course they are going to object to this provision in the bill. But if they are told the truth—and the truth is that they should get this money but it shouldn't be taken out of defense—most of these veterans would like to see it not taken out of defense; they would like to see it taken out of where it belongs.

So, as I say, I am sure there is press conference after press conference rallying all of these people because they are being told they won't get the funding, and I can understand that, but that is not what this Senator wants and what America should have, which is the funding taken out of the accounts of which there is the responsibility of the various committees and subcommittees in Congress and in the Committee on Appropriations. That is what this is all about.

So all I can say is that, as I predicted, the Senator from Illinois raises the issue of all of these things that will lose money. It is not that they will lose money. They will get the money if you do the right thing in the Committee on Appropriations, which is taking it out of the right accounts. To stretch the imagination to say that all of these are because of the men and women in the military is, at best, disingenuous.

Mr. DURBIN. Mr. President, I ask for 2 minutes.

The PRESIDING OFFICER. The assistant minority leader.

Mr. DURBIN. Mr. President, the total for the Department of Defense medical research programs we are discussing amounts to less than 0.2 percent of this total budget—less than two-tenths of 1 percent—and the Senator from Arizona is arguing that we are wasting money that could otherwise be spent in more valuable ways for our military. We are not wasting money; we are investing in medical research programs that serve our military, their families, and our veterans, and I will never apologize for that.

Yes, these groups are upset because they have seen the progress that has been made with these investments, coordinating with the NIH and the Institute of Medicine. They have done the right thing. They have found cures, they have relieved the problems and challenges facing our military, their families, and the veterans who have served.

In terms of whether the amendment the Senator has already put into the bill is going to have any negative impact on Department of Defense medical research, let me quote the Department of Defense and what they said about the language from Chairman MCCAIN: These changes would drastically delay the awards, risking the timely obligation of funds, significantly increase the effort and cost for both the recipients and the Federal Government. With the additional audit services needed, documentation that recipients would be required to provide, changes to recipients' accounting systems, the scientific programs would be severely impacted. Massive confusion would follow. Most likely, recipients would not want to do business with the Department of Defense. These issues would lead to the failure of the Congressionally Directed Medical Research Program.

If the Senator wanted to come and just say ''Put an end to it,'' that would be bold, that would be breathtaking, but it would be direct and it would be honest. What he has done is cover it in redtape. I am in favor of research, not redtape. There is no need to kill off these critical medical research programs for our military and our veterans.

I yield the floor.

Mr. MANCHIN addressed the Chair.

Mr. MCCAIN. Mr. President, I think I have precedence.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I just want to say again that there are various accounts in the appropriations process that are directly related to the issues that have now been inserted in the Department of Defense authorization bill. That is what this is all about, and that is all it is all about.

We can talk about all of the compelling needs and the terrible stories of people who have been afflicted by these various injuries and challenges to their health, but the fact is, it is coming from the wrong place, and that is what this is all about.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I just want to say that after listening to both my colleagues, who are passionate about this issue, they are both right. They are both right. If we had a tax plan—a competitive tax plan—that took care of our priorities based on our values, they would both be funded properly. That is what we have to get to. We have to get past picking and choosing and basically take care of the values we have as Americans, so I hope we can come together on that.

OPIOID EPIDEMIC

Mr. President, I am rising today because we have reached another crisis point in our country. In 2014 we had almost 19,000 people die due to opioid prescription drug overdose. These are legal prescriptions. These are by companies that basically developed products legally. We have the FDA that basically said that we should use it, that it is good for us, and our doctors were saying this is what we should do. So basically we have an epidemic on our hands from products we all believed were going to help us. We had 16 percent more people die in 2014 than in 2013. We have lost 200,000 Americans since 1999—200,000. If that is not an epidemic, I don't know what is. I really don't know.

Unfortunately, a major barrier to those suffering opioid addiction—these are legal prescription drugs—is insufficient access to substance abuse treatment centers. Between 2009 and 2013, only 22 percent of those who were suffering from addiction could find treatment—only 22 percent.

For so long, we kind of put our heads in the sand and basically thought that this was a crime, that it wasn't basically an illness—an illness that we now have come to understand needs treatment. We are way behind the scale on this.

In my State of West Virginia, 42,000 West Virginians, including 4,000 youth—these are kids younger than 16 years of age—sought treatment for legal abuse but failed to find it. Think about this: If you are a parent or a grandparent and your kids are begging for help, the only way they can find any help today is to get them arrested, get a felony on them, and then the judge will send them to drug court. That is it. That is the alternative. That is not a solution we as Americans should be settling for.

The largest long-term facility in West Virginia with more than 100 beds is Recovery Point. It is run by all former addicts. These were people whose lives were basically destroyed. They got together and said: We can help people. We can save them. There is mentoring. They bring them in, and it is a yearlong program. It has the greatest success rate of anything else we have in our State.

In 2014 about 15,000 West Virginians got some sort of treatment for drug or alcohol abuse, but nearly 60,000 people went untreated because they couldn't find it or couldn't afford it. Based on conversations with our State police and all law enforcement in the State of West Virginia, 8 out of every 10 calls they are summoned to for some kind of criminal activity is due to drugs, some form of drugs.

All of our young students here will be able to identify with this and the people who have problems.

These people recognize they need help and they have been turned away.

I have introduced a piece of legislation with quite a few of my colleagues. I would hope all of my colleagues in this body would look at it very seriously. It is called LifeBOAT. LifeBOAT basically simply says this: We need to have a fee on all opiates. The reason for this was that in the 1980s, we were told this was a wonder drug. It will relieve us of pain 24 hours—not addictive at all. Well, we know what happened there. That wasn't effective and it wasn't accurate.

What we are asking for is one penny, one penny per milligram on all opiate prescriptions, just one penny. That one penny will give continuous funding for treatment centers around the country. That will bring in about $1.5 billion to $2 billion a year. I would hope it wouldn't bring in anything. That would mean we wouldn't have rampant addictions as we have throughout the country.

This is the LifeBOAT. We would hope people would get on board. I have asked my colleagues on the other side of the aisle. This is not a tax. It is basically a treatment plan. We have fees we charge for alcohol. We have a fee for cigarettes—nothing for opiates. This is destroying as many, if not more, lives. All of this is a commonsense approach forward.

I say to all of my colleagues, there will not be a Democratic or a Republican family who will hold it against you for trying to find a treatment program for their child or a loved one or someone in their family.

I have come to the floor every week to read letters from people who have been affected and their lives have been changed. I have one from my State of West Virginia, and she writes:

In Elementary school (I believe 4th grade) my daughter became a cheerleader for Pop Warner Football.

Then 6th through 8th she cheered for the Middle School. Her Senior year she cheered for High School as well. She also played Volleyball for the High School and with an adult league, and Basketball for a Jerry West league.

She had excellent grades in school, many friends and a great personality. To say she was well rounded is pretty accurate.

I am not quite sure where things went wrong. How we have ended up where we are today.

Today, and for several years now, my daughter is a drug addict. At one time she was prescribed antidepressants, then nerve pills, then she broadened to her own choices. She has tried many drugs but her choice is opiates.

Legal prescription opiates.

She is the mother of our first 2 grandbabies that are now in the custody of family members due to her drug use.

The home is unfit for the children to be raised in. Continuing:

She is also a sister, aunt, granddaughter, cousin, niece and friend to many. And the wife of an addict. She has been in and out of jail, court and community corrections several times.

I have lost many nights of sleep waiting for a knock at our door or a phone call to tell me I need to identify my daughter. Thankfully, I am a lucky one so far that has not had to do that. Others have not been as fortunate.

She has been homeless and sleeping in her car for almost a year except for the nights I could beg for her to come stay with us.

Her husband has stole from my family and is not allowed on any of our properties. She feels obligated into staying by his side.

I don't know why.

She has had several seizure episodes that were drug related. One time she was at a local grocery store with our granddaughter. She was transported by an ambulance after her 4 year old daughter screamed for help.

A 4-year-old daughter screaming for help for a mother who has had an overdose and addiction. Continuing:

She went to a 10-day detox. Which ended up being a waste—

We know that 10 days or a month doesn't do a thing—

because there was not a place for her to go for rehab after that.

One time she got out of jail and thought she could kick this habit on her own. She couldn't, and back to jail she went.

Right now she is in a grant funded long term facility.

If you talk to any people in addiction treatment, it takes a minimum of 1 year to get them through.

She has been there almost a month. My heart and hopes are high.

I pray for her and those like her on a daily basis. Addiction is such a cruel and punishing way of life. It leaves scars inside and out.

All I am asking for is this LifeBOAT piece of legislation that will give us a lifeboat to help families who are desperately in need. I would hope everyone would consider this. It is not a burden on anybody. It is not a burden on people taking normal prescriptions. It is only 1 penny per milligram on opiates produced, used, and consumed in the United States.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, for the benefit of my colleagues, we are working on trying to set up a series of a few amendments, including the Durbin amendment and others. Hopefully, we will have that resolved within half an hour or so, so we can then schedule votes for today.

I know my colleagues are aware that tomorrow the first part of the day is for the joint meeting, with an address by the Prime Minister of India, so that even shortens our time. We want to try to get as many amendments done as we can today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. Mr. President, I speak on amendment No. 4260 to the National Defense Authorization Act, which would elevate U.S. Cyber Command to a combatant command.

In 1986, Congress passed a law elevating and establishing U.S. Special Operations Command to address the rapidly growing need for special operators and to unify our forces. Think about that. Today they are now leading the effort against ISIS. There is another force quietly leading a battle against ISIS, and it is on a completely new battlefield. U.S. Cyber Command is one of our most important elements in the fight against terrorism today and tomorrow.

I stand today with eight bipartisan cosponsors to my amendment, including the chairman of the Armed Services Committee. I thank them for their support. This includes Senators WARNER, BENNET, MURKOWSKI, CARDIN, and BLUMENTHAL, as well as Senators GARDNER and ERNST.

The Commander of Cyber Command recently testified before the Armed Services Committee, stating that an elevation to a combatant command ''would allow them to be faster, generating better mission outcomes.''

At a time when ISIS is rapidly recruiting online and developing technology like self-driving cars packed full of explosives, the United States needs to ensure that cyber and technology warfare is at the top of our priorities. U.S. Cyber Command needs to be able to react quickly and to engage the enemy effectively. Our troops need to be as effective online as they are in the air, in the land or at sea. To do all of that, we need to elevate them to a combatant command, where they will be reporting directly to the President of the United States through the Secretary of Defense.

I have provided for a plan in this year's Defense appropriations bill to fund this in the future, and I am committed to ensuring the elevation of Cyber Command is successful. In the long run, we need to ensure that they have increased access to training, to top equipment, and to ensure their other commands are able to integrate the forces successfully.

Right now as we debate the National Defense Authorization Act, we need to ensure that we give them the authority to defeat our adversaries, and that means elevation to a combatant command. The threat of a cyber attack is one of the fastest growing threats facing our Nation, and we cannot stand by as the Department of Defense delays to act on this urgent need.

I urge my colleagues to support my amendment No. 4260, which will elevate U.S. Cyber Command to a combatant command.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, with regard to the previous discussion, I want to point out to my colleagues, on this whole issue of a billion dollars that is being taken out of defense, the appropriate subcommittee on the Appropriations Committee and the authorizing committee is Labor, Health and Human Services, Education, and Related Agencies. Certainly, as I mentioned before—and taken out of the National Institutes of Health account, for which a lot of money was already being appropriated. So there is an appropriate vehicle for these expenditures of funds of nearly $1 billion, and it is not the Department of Defense.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

TEXAS FLOODING

Mr. CRUZ. Mr. President, my home State of Texas is strong and resilient. Texans aren't people who tire easily, and we certainly don't give up when the going gets tough, but that doesn't mean the State of Texas hasn't faced its share of adversity.

Over the last few weeks, the resolve of our great State has been tested with historic flooding that has taken at least 16 lives across Texas. Among those 16 are 9 young soldiers at Fort Hood, 9 soldiers whose truck was overturned while crossing a flooded creek.

Their lives were ended in that flooding. Their families have been torn asunder, not by combat losses far away. When brave young men and women sign up to defend this country, they expect—they understand the threat that enemies abroad might endanger them, but they shouldn't be losing their lives here at home in a sudden and unexpected accident that took the lives of nine soldiers in an instant. Those nine soldiers should be remembered: SPC Yingming Sun, SSG Miguel Angel Colonvazquez, SPC Christine Faith Armstrong, PFC Brandon Austin Banner, PFC Zachery Nathaniel Fuller, Private Isaac Lee Deleon, Private Eddy Raelaurin Gates, Private Tysheena Lynette James, and Cadet Mitchell Alexander Winey.

All of us should remember those soldiers and every one of the soldiers, sailors, airmen, and marines who risk their lives for us daily.

Just yesterday on a plane flight from Texas, I had the pleasure of again meeting a young lieutenant whom I had met in the hospital at Fort Hood in 2014. He had been shot in the chest with a .45 in that tragic shooting that occurred. I must say it was so inspirational to see this young lieutenant healed, mobile, proudly serving our country, and energized. That is the spirit of our Armed Forces, and we should never forget their commitment to freedom.

Heidi and I right now, along with millions of Americans, are lifting up in prayer those Texans who have lost their lives, who have lost their homes, and the families who are suffering due to this flooding. We are also lifting up the first responders who so bravely risk everything to keep us safe.

In particular, I want to take a moment of praise for the Red Cross. I had the privilege yesterday of speaking with the CEO of the Red Cross to thank them directly for their efforts on the ground, helping people who are suffering, helping people who have lost their homes and who are struggling.

She and I shared what we have seen in tragedy after tragedy after tragedy, which is that, in the face of disaster and in the face of adversity, Texans and Americans come together. There is a spirit of solidarity, a spirit of unity that the worse the tragedy, the more we come together and help our friend and neighbor, help our sister and brother. During these difficult times, Texans demonstrate that sharing spirit, and we are thankful to Americans across the country who are lifting us up in prayer.

As the waters continue to recede and the wreckage is being cleared, my office will continue to work very closely with the local and State government officials, along with the entire Texas delegation, to help ensure a smooth recovery process, including offering—as I already have—my full support and assistance when Governor Abbott requests Federal aid for those afflicted by this disaster.

While Texas continues to rebound from these torrential floods, our Nation is also flooded with circumstances that require the very same strength and resolve that we face in the face of tragedy. This week, the Senate continues debating the National Defense Authorization Act. This legislation reflects our Nation's military and national security priorities. The decisions we make today will affect not only our lives but those of future generations.

We face serious times as a Nation. Our constitutional rights are under assault. We have economic stagnation, young people yearning for employment opportunities only to find none, and government regulations that crush innovations. Abroad and at home, the threat is growing each and every day of radical Islamic terrorists. In order to best ensure the future of our Nation, we must make sure America is secure.

The most important constitutionally mandated responsibility of the Federal Government, the one authority that it must—not merely can—exercise is to provide for the common defense. There is no better example of how egregiously we have strayed from our core function than the way in which our spending on defense has been held hostage year after year to the ever-increasing appetite for domestic spending by President Obama and his political allies. The programs they are forcing on the American people aren't necessary to protect our lives and safety. But funding our Nation's security is necessary, and it is in this spirit that I have approached my work on the National Defense Authorization Act. I look forward to continuing this debate with colleagues on both sides of the aisle.

My goal for the NDAA is simple. We need to make sure our military is strong, our homeland is secure, and our interests abroad are protected. The NDAA shouldn't be a vehicle to further an agenda that has nothing to do with actually defending America.

On the Senate Armed Services Committee, I was proud to work with my colleagues, both Republicans and Democrats, in introducing and getting adopted 12 amendments—12 amendments that were included in this legislation that cover the range of policy issues from strengthening our ability to protect ourselves through missile defense, to improving our ability to stand with allies such as the nation of Taiwan, to improving our ability to deal with the growing threats from nations like Russia and China, to prohibiting joint military exercises with Cuba, to preventing the transfer of terrorists from Guantanamo to nations that are on the State Department's watch list. All of those were done working closely with colleagues, Republicans and often many Democrats. Yet there are still many issues I believe should be addressed in this legislation, and I want to highlight three of those issues—three amendments that I hope this full body will take up.

The first is an amendment to increase spending on Israeli missile defense. This is an amendment on which I have been working very, very closely with the senior Senator from South Carolina, Mr. GRAHAM.

The second is an amendment to stop the Obama administration's plan to give away the Internet, to empower our enemies over the Internet. On this, I have been working closely with Senator LEE from Utah and Senator LANKFORD from Oklahoma.

The third amendment I want to address is an amendment to strip the citizenship from any Americans who take up arms and join ISIS or other terrorist organizations waging jihad against the United States of America. In this, I have worked with a number of Senators, including Chairman GRASSLEY of the Judiciary Committee.

Each of these amendments addresses different policy components of our Nation's security. But they all share the ultimate objective of ensuring that America remains the strongest nation the world has ever known.

The first amendment I have submitted and that I would urge this body to take up would increase funding for our cooperative missile defense program with Israel to ensure that our ally—our close friend—can procure the necessary vital assets and conduct further mutually beneficial research and development efforts. This has been an ongoing partnership between Israel and the United States of America and yet, unfortunately, the Obama administration, in its request submitted to Congress, zeroed out procurement for David's Sling, Arrow 2, and Arrow 3, vital elements of Israeli missile defense. This is at a time when the threats are growing, and the administration decided that zero was the appropriate level. Respectfully, I disagree. This amendment would fully fund procurement for Israeli missile defense.

Now, much of this missile defense is done in partnership working closely with American corporations producing jobs here at home. But it is also vital to our national security, as we see a proliferation of threats across the world. The technology of intersecting incoming threats and intersecting incoming missiles before they can take the lives of innocents is all the more important. Yet we are at a time when the administration has funneled hundreds of millions—and headed to billions—of dollars to Iran and their despotic regime.

The administration knows and they acknowledge that substantial portions of those funds will be used to fund radical Islamic terrorists, will be used to fund efforts to murder Israelis and to murder Americans. Yet, nonetheless, it is U.S. taxpayer dollars and dollars under the control of our government—billions—that are going to the Ayatollah Khamenei, who chants and pledges ''Death to America'' and ''Death to Israel,'' as a result of the fecklessness of our foreign policy.

Our closest ally in the Middle East remains in a deeply troubling and precarious position. Israel must be prepared to defend against Hamas and Hezbollah rocket stockpiles that are being rebuilt and improved, while also being forced to counter an increasingly capable adversary in the nation of Iran, which is intent on the destruction of Israel. We must not fail in our obligation to stand with Israel. It is my hope that, if and when this body takes up this amendment, we will stand in bipartisan unity, standing with Israel against the radical Islamic terrorists who seek to destroy both them and us. In doing so, we will further both Israeli national security and the safety and security of the United States of America.

In addition to working to provide for our common defense and protect our sovereignty, I have also introduced an amendment that would safeguard our country in a very different way. I have submitted an amendment that would prohibit the Obama administration from giving away the Internet. This issue doesn't just simply threaten our personal liberties. It also has significant national security ramifications. The Obama administration is months away from deciding whether the U.S. Government will continue to provide oversight over the core functions of the Internet and continue to protect it from authoritarian regimes who view the Internet as a way to increase their influence and suppress the freedom of speech.

Just weeks ago, the Washington Post—hardly a bastion of conservative thought—published an article entitled: ''China's scary lesson to the world: Censuring the Internet works.'' We shouldn't take our online freedom for granted. If Congress sits idly by and allows the administration to terminate U.S. oversight of the Internet, we can be certain authoritarian regimes will work to undermine the new system of Internet governance and strengthen the position of their governments at the expense of those who stand for liberty and freedom of speech.

This prospect is truly concerning, given the proposal submitted by the Internet Corporation for Assigned Names and Numbers, known as ICANN. ICANN is a global organization, and its latest proposal unquestionably decreases the position of the United States while it increases the influence of over 160 foreign governments within ICANN in critical ways—foreign governments like China, foreign governments like Russia. Additionally, this proposal has the potential to expand ICANN's historical core mission by creating a potential gateway to content regulation, and it would only further embolden ICANN's leadership, which has a poor track record of acting in an unaccountable manner and a proven unwillingness to respond to specific questions posed by the Senate.

Relinquishing our control over the Internet would be an irreversible decision. We must act affirmatively to protect the Internet, as well as the operation and security of the dot-gov and dot-mil top-level domains, which are vital to our national security.

For whatever reason, the Obama administration is pursuing the giveaway of the Internet in a dogged and ideological manner. It is the same naive foolishness that decades ago led Jimmy Carter to give away the Panama Canal. It is this utopian view that, even though we built it, we should give it to others whose interests are not our own. We should not have given away the Panama Canal, and we should not be giving away the Internet. If the Obama administration succeeds in giving away the Internet—which is, No. 1, prohibited by the Constitution of the United States, which specifies that property of the United States Government cannot be transferred without the authority of Congress—this administration is ignoring that constitutional limitation and is ignoring the law. But if the Obama administration gives away the Internet, it will impact freedom, it will impact speech for you, for your children, and your children's children.

I would note that one of the things this body is good at is inertia—doing nothing. Right now, that is what this body is doing to stop it. My amendment would say that control of the Internet cannot be transferred to anyone else without the affirmative approval of the United States Congress. If it is a good idea to give away the Internet that we built, that we preserve, that we keep free, that we protect with the First Amendment—and I can't imagine anyone reasonably objective believing it is, but if it is—we ought to debate it on this floor. A decision of that consequence should be decided by Congress and not by unaccountable bureaucrats in the Obama administration. So it is my hope that colleagues in this body will come together, at the very minimum, to say not whether or not the Internet should be given away but simply that Congress should decide that. There was a time when this body was vigorous in protecting its constitutional prerogatives. It is my hope that this body will rediscover the imperative of doing so.

The third amendment I have submitted on the NDAA that I want to address is the Expatriate Terrorist Act, a bill I introduced over a year ago and that I have now filed as an amendment to the NDAA.

As we all know, radical Islamic terrorists have been waging war against the United States since—and, indeed, well before—9/11, and yet the President cannot bring himself to identify the enemy, preferring instead to use meaningless bureaucratic terms like violent extremists. The President naively believes that refraining from calling the threat what it is—radical Islamic terrorism—will somehow assuage the terrorists and discourage them from making war against us and our allies. But that hasn't stopped ISIS from promising to strike America over and over and over, nor did it dissuade the radical Islamic terrorists here in the United States who have committed attacks against Americans since this President first took office—the terrorist attack in Fort Hood, which the administration inexplicably tried to characterize as ''workplace violence,'' the Boston Marathon bombing, the terrorist attack on military recruiters in Little Rock and Chattanooga, and, most recently, the horrific attack in San Bernardino.

The question for us in Congress is whether we have given the government every possible tool, consistent with the Constitution, to defeat this threat. I do not believe we have, which is why I have introduced the Expatriate Terrorist Act.

Over the years, numerous Americans, like Jose Padilla, Anwar al-Awlaki and Faisal Shahzad, just to name a few, have abandoned their country and their fellow citizens to go abroad and join radical Islamic terrorist groups. Intelligence officials estimate that more than 250 Americans have tried or succeeded in traveling to Syria and Iraq to join ISIS or other terrorist groups in the region. This amendment updates the expatriation statute so that Americans who travel abroad to fight with radical Islamic terrorists can relinquish their citizenship. This will allow us to preempt any attempt to reenter the country and launch attacks on Americans or to otherwise hide behind the privileges of citizenship. In this more and more dangerous world, it would be the height of foolishness for the administration to allow known terrorists—radical Islamic terrorists affiliated with ISIS, Al Qaeda, or other Islamist groups—to travel back to the United States of America using a passport to carry out jihad and murder innocent Americans.

This legislation should be bipartisan legislation. This legislation should be legislation that brings all of us together. We might disagree on the questions of marginal tax rates as Democrats and Republicans. We might disagree on a host of policy issues. But when it comes to the simple question of whether an Islamic terrorist intent on killing Americans should be allowed to use a U.S. passport to travel freely and come into America, that answer should be no, and that ought to be an issue of great agreement.

Today I call upon my colleagues to join me in supporting these amendments and coming together. Together

these amendments strengthen our Nation both at home and abroad. We are stronger than the obstacles we face. And by the grace of God, we will succeed. The stakes are too high to quit, and we will stand together and continue to strengthen this exceptional Nation, this shining city on a hill that each and every one of us loves.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I hope the Senator from Texas, who just made a moving commentary, would consider in the future standing together and voting for the Defense authorization bill rather than voting against it.

We stood together on the committee with only three votes against the Defense authorization bill, and he voted against it last year as well. So I would look forward to working with the Senator from Texas and maybe getting him—instead of being one or two in the bipartisan effort of the committee—to vote for the Defense authorization bill.

I might tell him also that with his agenda, as he described it, I would be much more agreeable to considering that agenda if he would consider voting for the defense of this Nation—which is that thick—which we worked for months and months with hearings, meetings, and gatherings, and he decided to vote against the authorization bill. So I look forward to working with him, and perhaps next time he might consider voting for it rather than being 1 of 3 out of some 27 in the committee who voted for it in a bipartisan fashion, of which I am very proud.

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CRUZ. Mr. President, I would briefly respond to my friend from Arizona. As he is aware, this NDAA contains one provision that in the history of our country is a radical departure. For the first time ever, this NDAA would subject women to Selective Service and potentially the draft.

Was this change done through open debate? Was this change done in front of the American people? Was this change done reflecting their views? No. It was inserted by committee staff in the committee draft. It is a radical change that is attempting to be foisted on the American people.

I am the father of two daughters. Women can do anything they set their mind to, and I see that each and every day. But the idea that we should forcibly conscript young girls into combat, in my mind, makes little to no sense. It is, at a minimum, a radical proposition. I could not vote for a bill that did so, particularly that did so without public debate.

In addition to that, I would note that in previous years, I have joined with Senator LEE and others in pressing for an amendment that would protect the constitutional rights of all Americans against unlimited detention of American citizens on American soil. The chairman is well aware, because I have told him this now 4 years in a row, that if the Senate would take up and pass the amendment protecting the constitutional due process rights of American citizens—the Bill of Rights actually matters—then I would happily vote for the bill. Yet the Senate has not taken up that amendment, so I have had no choice but to vote no at the end of the day.

I can tell you right now that if this bill continues to extend the draft to women—a radical change, much to the astonishment of the voters, being foisted on the American people not just by Democrats but by a lot of Republicans—then I will have no choice but to vote no again this year. But I can say this: I would be thrilled to vote yes if we focused on the vital responsibilities of protecting this country rather than focusing on extraneous issues.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, the Senator from Texas has the unique capability of finding a provision in a bill that thick to base his opposition on with a strong moral stand. The fact is that every single military leader in this country—both men and women, members of the military uniformed leadership of this country—believes it is simply fair, since we have opened up all aspects of the military to women in the military, that they would also be registering for Selective Service.

I would also point out that every single member of the committee—people such as Senator AYOTTE, Senator SHAHEEN, Senator MCCASKILL, all of the female members of the committee—also finds it a matter of equality. Women I have spoken to in the military overwhelmingly believe that women are not only qualified but are on the same basis as their male counterparts.

Every uniformed leader of the U.S. military seems to have a different opinion from the Senator from Texas, whose military background is not extensive. I believe it was indefinite detention last time, which obviously is an issue but, in my view, not a sufficient reason because it was not included. The bill last year did not address that issue, but because we didn't address the issue to the satisfaction of the Senator from Texas, then he voted against the bill. This year it is Selective Service.

The vote within the committee was overwhelming. The opinion of men and women in the military—every one of our military leaders believes that.

The Senator from Texas is entitled to his views, but to think that somehow that is sufficient reason for him to continue to vote against the bill—even though he does not respect the will of the majority—in my view, that is not sufficient reason to continue to oppose what is a bipartisan bill that was overwhelmingly voted for in committee and at the end of the day, in previous years, was voted for overwhelmingly in the Senate.

I respect the view of the Senator from Texas. Too bad that view is not shared by our military leadership—the ones who have had the experience in combat with women in the military.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

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

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

STANDING TOGETHER AS ONE NATION

Mr. MENENDEZ. Mr. President, I thought long and hard about giving this speech, and I don't come to the floor lightly, but as the senior Latino in this Chamber, I felt I had to speak, for those who do not recall the past are destined to repeat it, and I don't want to let this opportunity pass without speaking out.

The remarks of the presumptive Republican nominee for President about Judge Gonzalo Curiel are taking this Nation and the Republican Party down a dark and slippery slope. The road to some of the darkest moments of history have been paved with the rants of petty demagogues against ethnic minorities for centuries. And now, again in this century, Donald Trump is echoing those same racist rants and by doing so threatening to take this Nation to a dangerous place.

While Donald Trump's racist themes throughout his campaign are a new low for one of America's major political parties, they are not unique in history. This is page one on the dark chapters of history: Separate us from them. Tyrants and dictators have incited hatred against ethnic and religious minorities for centuries in order to consolidate power for themselves. Increasingly radical-thinking Republicans are not blameless in creating the environment that has led to this disaster, that has led to a new McCarthyism that calls out people not for their beliefs but for their ethnicity.

We have governed from crisis to crisis over the past 8 years, not because we cannot find solutions to our problems but because of political decisions to delegitimize the process and the President. They have fed into the ranks of a petty demagogue and now struggle to find safe ground. They have given quarter to snake oil salesmen and conspiracy theorists.

Now we have the head of a major U.S. political party attacking a Federal judge because of his parentage. This isn't a reality TV show or real estate deal; this is an attack on our independent judiciary. We are talking about a Presidential candidate tearing the fabric with which we enforce our laws and help citizens protect themselves from injustice.

In every aspect of her life, my mother believed in being treated fairly. What she did not believe is that being treated fairly meant she would always get what she wanted and that if she did not get it, it would be proof that the process of the system was corrupt, unfair, and out to get her.

To my mother and to me, lashing out when we don't get what we want—as Donald Trump seems to do so often—can be described only as remarkably childish, thin-skinned, surprisingly egocentric, and frankly, for someone who aspires to lead this Nation, dangerously undemocratic, if not outright demagogic, threatening the very safeguards our Founders put in place to protect us from those, like Mr. Trump, whose only view of the world seems to be in a mirror. His only response to adversity is to blame someone else and turn people against each other. The fact is, leaders don't turn people against each other; they bring them together in common cause. Mr. Trump needs to learn that there is not always someone else to blame for defeat. The fact that you lost doesn't imply unfairness, it only indicates that you lost, and he should get used to it, although it is a difficult concept for someone raised to believe there would be no losing and if there were, it must be a mistake that can be rectified with power, money, or a lawsuit. Apparently, in Mr. Trump's mind, if he loses, it must be someone else's fault: It is he. It is they. It is those people. He isn't American. He doesn't have a birth certificate. He is a Muslim. It is all of them. He is a Mexican judge, and I want to build a wall, so he is being unfair to me.

That attitude may be childish and pathetic in a schoolyard bully, but in an American President and Commander in Chief, it is downright dangerous.

I have traveled my State and this Nation and listened to people who wonder, as many of us do, how our political dialogue has become so dangerously coarse and brash and blatantly racist and how we seem to have reduced the greatness of this country to its lowest common denominator. We are talking about electing a President—a man or woman who will hold the nuclear code and will decide matters of war and peace and whether to send our sons and daughters into harm's way. The stakes are too high to allow a megalomaniac to pound his chest over a legitimate decision ordered by a judge who was confirmed unanimously by this Senate.

Many of my colleagues have tried to distance themselves from the comments of the nominee, but in many cases they have not gone far enough. They have not called him out as they should, politics aside, for the threat he poses to this Nation if he is elected.

Many of my colleagues must recognize, as I do, that a Federal judge born in Indiana, which is part of these great United States, with a Mexican family background whose parents became U.S. citizens is not a Mexican judge but is an American judge, just as a U.S. Senator like this one—born in New York, raised in New Jersey, from a Cuban family background—is a U.S. Senator. To imply otherwise and ask Judge Curiel to recuse himself from a case because of where his parents were born is on its face racist.

They need to come to the floor and denounce the comments of their nominee. In fact, all Americans should denounce this kind of blatant racism. The tone of the Trump campaign and his statements, actions, and demeanor threaten to send us down a slippery slope. He doesn't seem to be able to stop himself. He has doubled down and said that it is impossible, for example—that a judge of Muslim descent might not be able to render a favorable decision in a Trump v. Whomever case because of the candidate's policy to ban Muslims from entering this country. Anyone who won't stand up and call this blatant racism has decided to put partisan politics ahead of our country. This is how a new McCarthyism comes to America, sold by a reality TV show host, aided and abetted by a political party without the courage to stand up to racism in its most cynical form.

I have watched this campaign, like most of my colleagues, incredulous at what I heard, shocked, in disbelief, and with a deep concern at the level of discourse that has degenerated into name calling and out-and-out racism. Many of my Republican colleagues and friends are pulling their punches, not going far enough to denounce the racist rants of their nominee.

This is not the American political system that I know or grew up with, it is not how we run campaigns, and it should make us all feel uncomfortable. But it is not good enough to simply be uncomfortable with what the presumptive Republican nominee says. We can't just turn a deaf ear and a blind eye to someone like Donald Trump and where he threatens to take this Nation should he be elected. We cannot wait until it is too late, and I believe my colleagues know it but have not yet found a way to articulate it.

We as a nation have to face the ugliness of what he has said and what he has no doubt yet to say. We as a people must immediately and unconditionally condemn and reject the type of blatant racism we heard over the last few days. Those who do not stand up to intolerance and hatred only encourage it and sow the seeds of bigotry that will ultimately divide us as a nation and a people.

I urge all of my Republican colleagues and all Americans to reject the politics of settling scores and grudges and work toward changing the hateful rhetoric we continue to hear.

We are a nation of immigrants—all of us. We all know the reality of what it means to work hard, get an education, build a career, and find our way to this Chamber or the Federal bench. Many of us grew up in immigrant neighborhoods, like Judge Curiel, having to navigate many obstacles, the veiled or not-so-veiled insults, the derogatory comments, the finger-pointing and racial stereotypes, while always remaining rational and logical enough to take the long view and see beyond the mirror and beyond ourselves so we can make the best decisions we can and take what comes and in doing so become part of the larger whole, no longer a stranger but members of something larger than ourselves.

When Donald Trump says ''There's my African American'' at a political rally, we see only a fellow American, a citizen, one of us, not one of them.

Today we are all Judge Gonzalo Curiel, and today we stand together as one Nation, indivisible, no matter how hard someone tries to divide us.

I repeat: The road to some of the darkest moments in history have been paved with the rants of petty demagogues against ethnic minorities for centuries, and Donald Trump is echoing those same racist rants, threatening to take this Nation to a dangerous place. Let's all of us speak out before it is too late.

With that, I yield the floor.

The PRESIDING OFFICER (Mr CRUZ). The Senator from South Dakota.

THE PRESIDENT'S FOREIGN POLICY

Mr. THUNE. Mr. President, as we enter the final stretch of the Obama administration, many have began analyzing the President's tenure and debating what legacy he will leave. People are asking: Are we better off? Are we safer? Unfortunately, the evidence suggests that the answer to both of those questions is no.

As we look around the world right now, we see more and more unrest and insecurity, and the foreign policy failures of the President and his administration are partly responsible. Again and again, when it has come time for the President to lead, he has chosen instead to sit on the sidelines. His failure to act has emboldened our enemies and alienated our allies.

Take the situation in Syria. I am not blaming the start of the Syrian civil war on President Obama, but when a redline was drawn and crossed and the President ignored it, we lost our credibility and our ability to influence President Assad. As we retreated from a position of strength, turmoil and unrest erupted in Syria.

The President's reluctance to act must have looked familiar to foreign leaders like Vladimir Putin. It doesn't make the front pages of the papers anymore, but we must remember that Russia invaded the sovereign country

of Ukraine and annexed Crimea while the President did nothing. After that, it is no surprise that Russia felt free to involve itself in Syria or that it continues to occupy and influence parts of eastern Ukraine as if it were a colony and not a free nation.

Recently, we have also seen Russian jets buzzing U.S. Navy ships. I can think of few other Presidents who would have stood for Russia's behavior, but this passiveness now defines President Obama's approach to foreign policy. The now-infamous Russian reset promoted by President Obama and Secretary Clinton will go down in history as a strategic failure of this administration.

In the Pacific, which was intended to be a key focus of the President's foreign policy, China has gone largely unchallenged, especially in the South China Sea. The noticeable absence of the United States over the last 7 years has led to China building an island and standing up an airfield in some of the most disputed waters in the world—an island, Mr. President. Can you imagine if a country tried to build an island near the United States and then to militarize it? It is no surprise that our allies in Southeast Asia are growing increasingly nervous with the rising military power making such aggressive claims on their doorsteps.

Then there is the situation in Iraq. During his campaign, the President promised to withdraw U.S. troops from Iraq, which he then proceeded to do on a publicly announced timetable. Military planners and congressional Republicans warned that telegraphing our plans to insurgents will encourage them to bide their time and wait for our troops to leave before preying upon an underprepared Iraqi military. But it was evident that President Obama and Secretary Clinton didn't want to see our obligation to the Iraqis through; they were more interested in keeping an ill-advised campaign promise no matter what the cost to security in Iraq.

The President proceeded with his plans to withdraw our troops without pressing former Iraqi Prime Minister Maliki on the importance of making sure his country was stable and secure before we withdrew. Everyone knows what happened next: The lack of American troops left a gaping hole in Iraq security and ISIS rolled in to fill the gap. Once called the JV team by President Obama, ISIS quickly established itself as arguably the most dangerous terrorist organization in the world. From its safe haven in Iraq, ISIS has spread terror across the Middle East and into Europe, destroying peaceful communities and cultural relics alike in its pursuit of a caliphate.

My heart especially breaks for the Christians and other religious minorities in the region in this time of darkness. Their experience under ISIS has been one of relentless persecution and suffering—genocide, Mr. President.

ISIS's spread has only made the situation in Syria more dire, as well as extended terror beyond the Middle East to Europe. It may have also influenced a mass shooting here in the United States.

Even the President's supposed leadership triumphs have demonstrated his unwillingness to stand up to our Nation's enemies. As the days pass, buyer's remorse from Democrats for the Iran deal continues to grow. The President negotiated a nuclear deal with Iran that will not only fail to stop Iran from acquiring a nuclear weapon, but it will actually make it easier for Iran to acquire advanced nuclear weapons down the road. This deal will jeopardize the security of the United States and our allies for many years to come.

Deputy National Security Advisor Ben Rhodes has admitted to creating ''an echo chamber'' of falsehoods to sell the deal. We have also learned that a firm that helped push the deal also funded positive media coverage. Not only was this a bad deal that will make it easier for Iran to acquire advanced nuclear weapons down the road, the administration was disingenuous in how it sold the deal. It pulled a fast one over Congress, the American people, and our partners around the world, all in the name of burnishing the President's legacy, not because it was the will of the people. This is another instance of the President's missteps that sends troubling signals to our allies—in this case, Israel, our closest and most reliable ally in the region.

I make these points because it is against this backdrop of growing international instability and lessening U.S. influence that the Senate is now considering the National Defense Authorization Act. This legislation authorizes the funding necessary to equip our troops with the resources they need to carry out their missions.

As we look beyond the failures of the Obama administration to the challenges that lie ahead, it is even more important that when it comes to our military, we get things right. It is not America's strength that tempts our adversaries, it is our weakness. That is why we need to ensure that our military is well-equipped and trained to meet the challenges of rising powers through high-tech capabilities, while also being agile and versatile to combat increased unconventional threats from nonstate actors.

We sleep at night in peace and safety because our military stands on watch around the globe. As threats multiply around the world, we must ensure that the military has every resource it needs to confront the dangers facing our Nation. We need to support essential forward-looking weapons systems, such as the B–21 long-range strategic bomber and high-tech drones to deter and defeat future threats.

We must ensure that detainees stay at Guantanamo, instead of returning to the fight. We must ensure that our troops and their families at home have the support they need and deserve. This bill will accomplish all that.

As we continue to debate the National Defense Authorization Act, I am sure there are some contentious issues that will come up, but while there may be some disagreement, we must pass this essential legislation without delay. Playing politics with funding for our troops, as the President did by vetoing the National Defense Authorization Act last summer, is unacceptable. I urge my colleagues to join me to advance this essential legislation to provide for our troops to ensure the safety and defense of America and to help restore America's position of strength.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

HAZARDOUS MATERIALS RAIL TRANSPORTATION SAFETY IMPROVEMENT BILL

Mr. WYDEN. Mr. President, rural Oregonians who have long worried about trains rumbling through our treasured Columbia River Gorge had their fears realized last Friday when a mile-long oil train derailed and caught fire in the heart of one of our State's crown jewels, the Columbia River Gorge.

Our State is rich with breathtaking places, and we believe the Columbia River Gorge is right at the top of the list. Local tribes consider the area sacred ground, and it took the breath away from Meriwether Lewis, who wrote in his journal of ''beautiful cascades which fell from a great height over stupendous rocks. . . .''.

In addition to being a haven for wildlife, the gorge is the lifeblood for tens of thousands of residents in the Pacific Northwest, a critical transportation corridor, and a center for outdoor recreation and tourism. Those who visit the gorge do so to windsurf, kiteboard, and parasail, fish, hike, and camp. It boasts the most visited recreation site in the Pacific Northwest, the thundering Multnomah Falls that Meriwether Lewis wrote about.

In this pristine area, trains carrying flammable liquids barrel through the gorge on tracks that were built in the first half of the 20th century. On Friday, just a stone's throw from our region's lifeblood, the Columbia River, one of those trains fell off the tracks. Sixteen cars hauling crude oil crashed within view of a community school in the small town of Mosier. Three tank cars caught fire, one car leaked oil, and one experienced what is known as a thermal tear, sending a column of flames shooting into the air.

We can see from the photo next to me just how close this fiery crash was to that school. People within a mile of the crash site were evacuated. The evacuation zone included Interstate 84, which was closed for 12 hours, and at least 100 nearby households. Some of these folks have yet to return to their homes. The sewer system was damaged badly enough that it was taken offline. Firefighters were forced to use so much water to put out the fire that the town's main well was depleted. As a result, residents who remain have been

forced to drink bottled and boiled water. This has all been taking place in the middle of a heat wave at home.

Here is the point about the reality I just described. A lot of Oregonians are telling me that we got lucky with the oil train accident in Mosier, and they are right. This crash has left Oregonians wondering what unlucky would have looked like. I can tell you it doesn't take a lot of imagination. The Mosier crash could have been much worse if the train had been going faster and with more cars derailing. It could have been worse if the crash had happened on Thursday, when winds were clocked above 30 miles an hour and the fire would have spread to the nearby tree line. If the crash had happened a mile east, it would have been on the edge of the river, causing a potentially catastrophic spill in the middle of a salmon run. If it had happened 60 miles west, it would have been in downtown Portland or in one of the suburbs.

Oregon has been lucky a lot, and at some point that luck is going to run out. What people in small communities in Oregon want to know, and what they deserve to know, is what happens next. What is Congress going to do to start fixing the problem?

I am here this morning with my friend and colleague from Oregon, Senator MERKLEY, to talk about what specifically we are going to do to get this fixed. More than a year ago, I introduced legislation with Senator MERKLEY, Senator SCHUMER, and five other Senators called the Hazardous Materials Rail Transportation Safety Improvement Act. Since then, four more Senators have signed on. Among the bill's lead supporters are the International Association of Firefighters and the International Association of Fire Chiefs.

Our bill reduces the chance of accidents in the first place by providing funding for communities to relocate segments of track away from highly populated areas and for States to conduct more track inspections. Next, it helps communities prepare for a possible accident by paying for training for first responders before the next accident. Finally, the bill provides market incentives to use the safest tank cars to transport hazardous materials, which lowers the chance of a spill or a fire in the event of an accident.

On Monday I talked with Union Pacific's CEO, Mr. Fritz. He committed to work with me and the Senate sponsors on this legislation. He indicated there were parts of the bill that the company can support. I think knowing that the company is willing now to follow up is a bit of constructive news and an encouraging development, but much more needs to be done.

Yesterday, Senator MERKLEY and I, with our Governor, Congressman BLUMENAUER, Congressman BONAMICI, called for a temporary moratorium on oil train traffic through the Columbia River Gorge. Yesterday, when I talked to the CEO of Union Pacific, Mr. Fritz, he committed that the Union Pacific will not ship Union trains of oil through the gorge until there are three developments: No. 1, the cause of the accident has been determined, No. 2, Union Pacific ensures that an accident will not happen again, and the company sits down and works out concerns that are obviously of enormous importance to the residents of Mosier.

These commitments are helpful, and we are going to monitor them closely. The company has to do everything possible to help get residents in the town back on their feet. That includes getting the sewage system up and running and getting people back in their homes so they can get about their everyday lives.

In my view, it would be hard, after a very close call like the one in Mosier on Friday, for anybody to just walk away and say, well, there probably will not be another accident, because while the people of Mosier work to get back to their normal lives, the threat of another crash is going to linger. Our people are talking about it. They are telling the newspapers they are nervous. They are nervous about the prospect of another accident, which is lingering in the minds of folks across my State.

It has been clear for years that more needs to be done to protect our communities and prevent the next accident from ever occurring. It is tragic that Mosier has now joined a long and growing list of both small towns and big cities that have experienced an oil train accident, including: Casselton, ND; Lynchburg, VA; Aliceville, AL; New Augusta, MS; LaSalle, CO; Galena, IL; Watertown, WI; and Philadelphia, PA.

More needs to be done to ensure that transportation systems used to haul crude oil and other flammable liquids are up to par. I hope Members of this body on both sides of the aisle will join me and Senator MERKLEY and nine other Senators. We already have over 10 percent of the Senate. I hope they will join us in our effort to protect communities everywhere from the next oil train accident. This has nothing to do with Democrats and Republicans. What this has to do with is whether we are going to take commonsense steps to prevent these accidents and ensure that in particular we do everything we can to have the kind of trains that are not as likely to be part of accidents in the future.

My colleague Senator MERKLEY has been a terrific partner in this effort. We have been talking about how we are going to tackle this urgent issue for the people we represent, and he is going to have important remarks about Friday's accident in Mosier as well.

With that, I yield the floor and look forward to Senator MERKLEY's comments.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I rise with my friend and colleague Senator WYDEN to draw attention to the dangerous oil train derailment that occurred in Oregon last Friday and the urgency to protect communities around our Nation with stronger safety regulations for these rolling explosion hazards.

The folks in the Columbia Gorge have experienced a proliferation of trains carrying coal and carrying oil. They have been concerned about the length of the trains and how these trains roll through, dividing their communities and the challenges they have. There is one concern they have above everything else; that is, that a train full of explosive Bakken crude would derail in their community. That happened last Friday.

It is the very scenario communities have dreaded. This oil train was traveling through the Cascade Mountains along the Columbia Gorge on its way to Tacoma, WA, with 97 cars loaded with flammable, explosive Bakken crude. Sixteen tank cars went off the tracks. One car ruptured, and when it ruptured, it spewed oil. The oil created an inferno, and the inferno started to heat up the adjacent cars. The adjacent cars had pressure relief valves that as they got hot, started spewing oil out of these pressure relief valves, spreading the fire to three cars. This happened near the town of Mosier, OR, which is just 70 miles east of Portland.

We were fortunate. We thank our lucky stars no one was injured in the incident, but it could have been different, as my colleague from Oregon pointed out. The proximity of Mosier resulted in an evacuation of over 100 nearby residents and the nearby grade school with over 200 children. An air quality warning occurred for vulnerable residents from the thick plumes of black smoke. We were fortunate, and we are happy that no human life was taken and no injury occurred.

Let's take a look at what that inferno looked like in this photo. We can see the massive plume of burning Bakken crude rising into the air. We see here the fire in the adjacent cars. We see the proximity to the Columbia River. There could have been a massive release of oil into the Columbia River as well. Again, we were fortunate in this regard. The Columbia Gorge is a very special place, but as its narrow channel through the Cascade Mountain occurs, these trains run through the middle of virtually every community along the way. They represent a rolling time bomb. Citizens are right to have grave concerns.

I don't think the citizens along the Columbia Gorge are mollified by thinking, well, it could have been worse; we were fortunate this time. Instead, what the citizens of Mosier are thinking and citizens in communities all along the gorge are thinking is, our concerns about these rolling explosion hazards are confirmed, and we need to take serious measures so that one of these trains does not blow up in our community in the future.

Now there are inspections that take place. The track was reportedly inspected on May 31. A track detector vehicle used laser and other technology to inspect the track within the last 30 days.

But what happened? Why did this occur along this stretch of track? It is reported that a bolt or multiple bolts sheared. Why did they shear? Was it temperature differentials between day and night in our unusually warm spring? Was it because of the weight of these trains rolling through? Was it the volume of the traffic? Was it the speed they were traveling?

We have to understand every detail so that we respond and make sure this does not happen again. That is why it is so disturbing that the National Transportation Safety Board declined to investigate. In its mission, the NTSB is supposed to investigate accidents that result in the ''release of hazardous materials''—well, that certainly was the case—and that ''involve problems of a recurring nature''.

There have been recurring derailments that involve significant property damage. There was significant damage here. This derailment sent oil into Mosier's wastewater treatment plant. The plant has been closed down, a major challenge for the city to cope with. There has even been a pause in the drinking water because of the modest oil sheen in the river. It was uncertain where it was coming from and whether it would get into the intake for the drinking water.

So let's hereafter not have a situation where there is a significant crash and we don't have the investigation to learn everything about it so we can apply those lessons into the future.

Senator WYDEN has been leading the charge to make sure that we understand accidents, that we have the right set of precautions in place: braking standards on the brakes and speed standards on the tracks and upgraded railroad tanker cars that are far less likely to rupture. I thank him for his leadership on this. I am a full-square partner in this effort.

The tank car that ruptured was not one that met the new standards. It was what was referred to by the president of Union Pacific as kind of a ''medium safety''—not the worst car, not the oldest car. It did have some upgrades on it but certainly not the new cars that we have been setting and aspiring to have; that is, a stronger car with more protections, minimizing the chance of a rupture.

This is an issue we must take on seriously and urgently. Let's recognize that it is one accident after another. In July 2013, a runaway Montreal, Maine & Atlantic Railway train spilled oil and caught fire inside the town of Lac-Megantic in Quebec. Forty-seven people were killed. Thirty buildings burned in the town center.

In December of that year, a fire engulfed tank cars loaded with oil on a Burlington Northern Santa Fe train after a collision about a mile from Casselton, ND. Two thousand residents were evacuated as emergency responders struggled with the intense fire.

In January 2014, a 122-car Canadian National Railway train derailed in New Brunswick, Canada. Three cars containing propane and one car containing crude from western Canada exploded after the derailment, creating intense fires that burned for days.

In April of that year, 15 cars of a crude oil train derailed in Lynchburg, VA, near a railside eatery and a pedestrian waterfront, sending flames and black smoke into the air. Thirty thousand gallons of oil spilled into the James River.

The list goes on. In February of 2015——

Mr. MCCAIN. Will the Senator allow an interruption so that I can be recognized for a unanimous consent request, and he then will regain the floor?

Mr. MERKLEY. I would be honored to yield for your unanimous consent proposal.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Senator from Oregon yield to me for a unanimous consent request without losing his right to the floor.

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

Mr. MCCAIN. Mr. President, I ask unanimous consent that the following amendments be in order to be offered: Durbin No. 4369 and Inhofe No. 4204. I further ask that the time until 4 p.m. be equally divided between the managers or their designees and that the Senate then proceed to vote in relation to the amendments in the order listed, with no second-degree amendments to these amendments in order prior to the votes, and that there be 2 minutes equally divided prior to each vote.

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

AMENDMENTS NOS. 4138, 4293, 4112, 4177, 4354, 4079, 4317, 4031, 4169, 4236, 4119, 4095, 4086, 4071, 4247, AND 4344

Mr. MCCAIN. Mr. President, I ask unanimous consent that the following amendments be called up en bloc: 4138, Peters; 4293, Baldwin; 4112, Gillibrand; 4177, Schumer; 4354, Leahy; 4079, Heitkamp; 4317, Hirono; 4031, Cardin; 4169, Coats; 4236, Portman; 4119, Roberts; 4095, Ernst; 4086, Murkowski; 4071, Hatch; 4247, Danes; and 4344, Sullivan.

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

The clerk will report the amendments by number.

The senior assistant legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN], for others, proposes amendments numbered 4138, 4293, 4112, 4177, 4354, 4079, 4317, 4031, 4169, 4236, 4119, 4095, 4086, 4071, 4247, and 4344 en bloc.

The amendments are as follows:

AMENDMENT NO. 4138

(Purpose: To provide for the treatment by discharge review boards of claims asserting post-traumatic stress disorder or traumatic brain injury in connection with combat or sexual trauma as a basis for review of discharge)

After section 536, insert the following:

SEC. 536A. TREATMENT BY DISCHARGE REVIEW BOARDS OF CLAIMS ASSERTING POST-TRAUMATIC STRESS DISORDER OR TRAUMATIC BRAIN INJURY IN CONNECTION WITH COMBAT OR SEXUAL TRAUMA AS A BASIS FOR REVIEW OF DISCHARGE.

Section 1553(d) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3)(A) In addition to the requirements of paragraph (1) and (2), in the case of a former member described in subparagraph (B), the Board shall—

''(i) review medical evidence of the Secretary of Veterans Affairs or a civilian health care provider that is presented by the former member; and

''(ii) review the case with liberal consideration to the former member that post-traumatic stress disorder or traumatic brain injury potentially contributed to the circumstances resulting in the discharge of a lesser characterization.

''(B) A former member described in this subparagraph is a former member described in paragraph (1) or a former member whose application for relief is based in whole or in part on matters relating to post-traumatic stress disorder or traumatic brain injury as supporting rationale, or as justification for priority consideration, whose post-traumatic stress disorder or traumatic brain injury is related to combat or military sexual trauma, as determined by the Secretary concerned.''.

AMENDMENT NO. 4293

(Purpose: To require a National Academy of Sciences study on alternative technologies for conventional munitions demilitarization)

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

SEC. 1422. NATIONAL ACADEMIES OF SCIENCES STUDY ON CONVENTIONAL MUNITIONS DEMILITARIZATION ALTERNATIVE TECHNOLOGIES.

(a) IN GENERAL.—The Secretary of the Army shall enter into an arrangement with the Board on Army Science and Technology of the National Academies of Sciences, Engineering, and Medicine to conduct a study of the conventional munitions demilitarization program of the Department of Defense.

(b) ELEMENTS.—The study required pursuant to subsection (a) shall include the following:

(1) A review of the current conventional munitions demilitarization stockpile, including types of munitions and types of materials contaminated with propellants or energetics, and the disposal technologies used.

(2) An analysis of disposal, treatment, and reuse technologies, including technologies currently used by the Department and emerging technologies used or being developed by private or other governmental agencies, including a comparison of cost, throughput capacity, personnel safety, and environmental impacts.

(3) An identification of munitions types for which alternatives to open burning, open detonation, or non-closed loop incineration/combustion are not used.

(4) An identification and evaluation of any barriers to full-scale deployment of alternatives to open burning, open detonation, or non-closed loop incineration/combustion, and recommendations to overcome such barriers.

(5) An evaluation whether the maturation and deployment of governmental or private technologies currently in research and development would enhance the conventional munitions demilitarization capabilities of the Department.

(c) SUBMITTAL TO CONGRESS.—Not later than 18 months after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees the study conducted pursuant to subsection (a).

AMENDMENT NO. 4112

(Purpose: To expand protections against wrongful discharge to sexual assault survivors)

At the end of part II of subtitle D of title V, add the following:

SEC. 554. MEDICAL EXAMINATION BEFORE ADMINISTRATIVE SEPARATION FOR MEMBERS WITH POST-TRAUMATIC STRESS DISORDER OR TRAUMATIC BRAIN INJURY IN CONNECTION WITH SEXUAL ASSAULT.

Section 1177(a)(1) of title 10, United States Code, is amended—

(1) by inserting '', or sexually assaulted,'' after ''deployed overseas in support of a contingency operation''; and

(2) by inserting ''or based on such sexual assault,'' after ''while deployed,''.

AMENDMENT NO. 4177

(Purpose: To require a report on the replacement of the security forces and communications training facility at Frances S. Gabreski Air National Guard Base, New York)

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

SEC. 2615. REPORT ON REPLACEMENT OF SECURITY FORCES AND COMMUNICATIONS TRAINING FACILITY AT FRANCES S. GABRESKI AIR NATIONAL GUARD BASE, NEW YORK.

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

(1) The 106th Rescue Wing at Francis S. Gabreski Air National Guard Base, New York, provides combat search and rescue coverage for United States and allied forces.

(2) The mission of 106th Rescue Wing is to provide worldwide Personnel Recovery, Combat Search and Rescue Capability, Expeditionary Combat Support, and Civil Search and Rescue Support to Federal and State entities.

(3) The current security forces and communications facility at Frances S. Gabreski Air National Guard Base, specifically building 250, has fire safety deficiencies and does not comply with anti-terrorism/force protection standards, creating hazardous conditions for members of the Armed Forces and requiring expeditious abatement.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report setting forth an assessment of the need to replace the security forces and communications training facility at Frances S. Gabreski Air National Guard Base.

AMENDMENT NO. 4354

(Purpose: To clarify that the National Guard's mission is both Federal and non-Federal for purposes of a report on the cost of conversion of military technicians to active Guard and Reserve)

On page 819, strike lines 7 through 13 and insert the following:

(B) An assessment of the ratio of members of the Armed Forces performing active Guard and Reserve duty and civilian employees of the Department of Defense required to best contribute to the readiness of the Reserves and of the National Guard for its Federalized and non-Federalized missions.

AMENDMENT NO. 4079

(Purpose: To ensure continued operational capability for long-range bomber missions in the event of termination of the B–21 bomber program)

On page 556, line 2, insert '', including the modernization investments required to ensure that B–1, B–2, or B–52 aircraft can carry out the full range of long-range bomber aircraft missions anticipated in operational plans of the Armed Forces'' after ''program''.

AMENDMENT NO. 4317

(Purpose: To fulfill the commitment of the United States to the Republic of Palau)

At the end of subtitle H of title XII, insert the following:

SEC. 1277. SENSE OF CONGRESS ON COMMITMENT TO THE REPUBLIC OF PALAU.

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

(1) The Republic of Palau is comprised of 300 islands and covers roughly 177 square miles strategically located in the western Pacific Ocean between the Philippines and the United States territory of Guam.

(2) The United States and Palau have forged close security, economic and cultural ties since the United States defeated the armed forces of Imperial Japan in Palau in 1944.

(3) The United States administered Palau as a District of the United Nations Trust Territory of the Pacific Islands from 1947 to 1994.

(4) In 1994, the United States and Palau entered into a 50-year Compact of Free Association which provided for the independence of Palau and set forth the terms for close and mutually beneficial relations in security, economic, and governmental affairs.

(5) The security terms of the Compact grant the United States full authority and responsibility for the security and defense of Palau, including the exclusive right to deny any nation's military forces access to the territory of Palau except the United States, an important element of our Pacific strategy for defense of the United States homeland, and the right to establish and use defense sites in Palau.

(6) The Compact entitles any citizen of Palau to volunteer for service in the United States Armed Forces, and they do so at a rate that exceeds that of any of the 50 States.

(7) In 2009, and in accordance with section 432 of the Compact, the United States and Palau reviewed their overall relationship. In 2010, the two nations signed an agreement updating and extending several provisions of the Compact, including an extension of United States financial and program assistance to Palau, and establishing increased post-9/11 immigration protections. However, the United States has not yet approved this Agreement or provided the assistance as called for in the Agreement.

(8) Beginning in 2010 and most recently on February 22, 2016, the Department of the Interior, the Department of State, and the Department of Defense have sent letters to Speaker of the House of Representatives and the President Pro Tempore of the Senate transmitting the legislation to approve the 2010 United States Palau Agreement including an analysis of the budgetary impact of the legislation.

(9) The February 22, 2016, letter concluded, ''Approving the results of the Agreement is important to the national security of the United States, stability in the Western Pacific region, our bilateral relationship with Palau and to the United States' broader strategic interest in the Asia-Pacific region.''

(10) On May 20, 2016, the Department of Defense submitted a letter to the Chairmen and Ranking Members of the congressional defense committees in support of including legislation enacting the agreement in the fiscal year 2017 National Defense Authorization Act and concluded that its inclusion advances United States national security objectives in the region.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) to fulfill the promise and commitment of the United States to its ally, the Republic of Palau, and reaffirm this special relationship and strengthen the ability of the United States to defend the homeland, Congress and the President should promptly enact the Compact Review Agreement signed by the United States and Palau in 2010; and

(2) Congress and the President should immediately seek a mutually acceptable solution to approving the Compact Review Agreement and ensuring adequate budgetary resources are allocated to meet United States obligations under the Compact through enacting legislation, including through this Act.

AMENDMENT NO. 4031

(Purpose: To impose sanctions with respect to foreign persons responsible for gross violations of internationally recognized human rights)

(The amendment is printed in the RECORD of May 18, 2016, under ''Text of Amendments.'')

AMENDMENT NO. 4169

(Purpose: To require a report on the discharge by warrant officers of pilot and other flight officer positions in the Navy, Marine Corps, and Air Force currently discharged by commissioned officers)

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

SEC. ____. REPORT ON DISCHARGE BY WARRANT OFFICERS OF PILOT AND OTHER FLIGHT OFFICER POSITIONS IN THE NAVY, MARINE, CORPS, AND AIR FORCE CURRENTLY DISCHARGED BY COMMISSIONED OFFICERS.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Navy and the Secretary of the Air Force shall each submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the feasibility and advisability of the discharge by warrant officers of pilot and other flight officer positions in the Armed Forces under the jurisdiction of such Secretary that are currently discharged by commissioned officers.

(b) ELEMENTS.—Each report under subsection (a) shall set forth, for each Armed Force covered by such report, the following:

(1) An assessment of the feasibility and advisability of the discharge by warrant officers of pilot and other flight officer positions that are currently discharged by commissioned officers.

(2) An identification of each such position, if any, for which the discharge by warrant officers is assessed to be feasible and advisable.

AMENDMENT NO. 4236

(Purpose: To require a report on priorities for bed downs, basing criteria, and special mission units for C–130J aircraft of the Air Force)

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

SEC. 1085. REPORT ON PRIORITIES FOR BED DOWNS, BASING CRITERIA, AND SPECIAL MISSION UNITS FOR C–130J AIRCRAFT OF THE AIR FORCE.

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

(1) the Air Force Reserve Command contributes unique capabilities to the total

force, including all the weather reconnaissance and aerial spray capabilities, and 25 percent of the Modular Airborne Firefighting System capabilities, of the Air Force; and

(2) special mission units of the Air Force Reserve Command currently operate aging aircraft, which jeopardizes future mission readiness and operational capabilities.

(b) REPORT ON PRIORITIES FOR C–130J BED DOWNS, BASING CRITERIA, AND SPECIAL MISSION UNITS.—Not later than February 1, 2017, the Secretary of the Air Force shall submit to the congressional defense committees a report on the following:

(1) The overall prioritization scheme of the Air Force for future C–130J aircraft unit bed downs.

(2) The strategic basing criteria of the Air Force for C–130J aircraft unit conversions.

(3) The unit conversion priorities for special mission units of the Air Force Reserve Command, the Air National Guard, and the regular Air Force, and the manner which considerations such as age of airframes factor into such priorities.

(4) Such other information relating to C–130J aircraft unit conversions and bed downs as the Secretary considers appropriate.

AMENDMENT NO. 4119

(Purpose: To prohibit reprogramming requests of the Department of Defense for funds for the transfer or release, or construction for the transfer or release, of individuals detained at United States Naval Station, Guantanamo Bay, Cuba)

After section 1022, insert the following:

SEC. 1022A. PROHIBITION ON REPROGRAMMING REQUESTS FOR FUNDS FOR TRANSFER OR RELEASE, OR CONSTRUCTION FOR TRANSFER OR RELEASE, OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

While the prohibitions in sections 1031 and 1032 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 968) are in effect, the Department of Defense may not submit to Congress a reprogramming request for funds to carry out any action prohibited by either such section.

AMENDMENT NO. 4095

(Purpose: To improve Federal program and project management)

(The amendment is printed in the RECORD of May 24, 2016, under ''Text of Amendments.'')

AMENDMENT NO. 4086

(Purpose: To authorize a lease of real property at Joint Base Elmendorf-Richardson, Alaska)

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

SEC. 2826. LEASE, JOINT BASE ELMENDORF-RICHARDSON, ALASKA.

(a) LEASES AUTHORIZED.—

(1) LEASE TO MUNICIPALITY OF ANCHORAGE.—The Secretary of the Air Force may lease to the Municipality of Anchorage, Alaska, certain real property, to include improvements thereon, at Joint Base Elmendorf-Richardson (''JBER''), Alaska, as more particularly described in subsection (b) for the purpose of permitting the Municipality to use the leased property for recreational purposes.

(2) LEASE TO MOUNTAIN VIEW LIONS CLUB.—The Secretary of the Air Force may lease to the Mountain View Lions Club certain real property, to include improvements thereon, at JBER, as more particularly described in subsection (b) for the purpose of the installation, operation, maintenance, protection, repair and removal of recreational equipment.

(b) DESCRIPTION OF PROPERTY.—

(1) The real property to be leased under subsection (a)(1) consists of the real property described in Department of the Air Force Lease No. DACA85-1-99-14.

(2) The real property to be leased under subsection (a)(2) consists of real property described in Department of the Air Force Lease No. DACA85-1-97-36.

(c) TERM AND CONDITIONS OF LEASES.—

(1) TERM OF LEASES.—The term of the leases authorized under subsection (a) shall not exceed 25 years.

(2) OTHER TERMS AND CONDITIONS.—Except as otherwise provided in this section—

(A) the remaining terms and conditions of the lease under subsection (a)(1) shall consist of the same terms and conditions described in Department of the Air Force Lease No. DACA85-1-99-14; and

(B) the remaining terms and conditions of the lease under subsection (a)(2) shall consist of the same terms and conditions described in Department of the Air Force Lease No. DACA85-1-97-36.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the leases under this section as the Secretary considers appropriate to protect the interests of the United States.

AMENDMENT NO. 4071

(Purpose: To redesignate the Assistant Secretary of the Air Force for Acquisition as the Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics)

At the end of subtitle C of title IX, insert the following:

SEC. 949. REDESIGNATION OF ASSISTANT SECRETARY OF THE AIR FORCE FOR ACQUISITION AS ASSISTANT SECRETARY OF THE AIR FORCE FOR ACQUISITION, TECHNOLOGY, AND LOGISTICS.

(a) REDESIGNATION.—Section 8016(b)(4)(A) of title 10, United States Code, is amended—

(1) by striking ''Assistant Secretary of the Air Force for Acquisition'' and inserting ''Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics''; and

(2) by inserting '', technology, and logistics'' after ''acquisition''.

(b) REFERENCES.—Any reference to the Assistant Secretary of the Air Force for Acquisition in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics.

AMENDMENT NO. 4247

(Purpose: To require an expedited decision with respect to securing land-based missile fields)

At the end of subtitle D of title XVI, insert the following:

SEC. 1655. EXPEDITED DECISION WITH RESPECT TO SECURING LAND-BASED MISSILE FIELDS.

To mitigate any risk posed to the nuclear forces of the United States by the failure to replace the UH–1N helicopter, the Secretary of Defense shall, in consultation with the Chairman of the Joint Chiefs of Staff—

(1) decide if the land-based missile fields using UH–1N helicopters meet security requirements and if there are any shortfalls or gaps in meeting such requirements;

(2) not later than 30 days after the date of the enactment of this Act, submit to Congress a report on the decision relating to a request for forces required by paragraph (1); and

(3) if the Chairman determines the implementation of the decision to be warranted to mitigate any risk posed to the nuclear forces of the United States—

(A) not later than 60 days after such date of enactment, implement that decision; or

(B) if the Secretary cannot implement that decision during the period specified in subparagraph (A), not later than 45 days after such date of enactment, submit to Congress a report that includes a proposal for the date by which the Secretary can implement that decision and a plan to carry out that proposal.

AMENDMENT NO. 4344

(Purpose: To authorize military-to-military exchanges with India)

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

SEC. 1247. MILITARY-TO-MILITARY EXCHANGES WITH INDIA.

To enhance military cooperation and encourage engagement in joint military operations between the United States and India, the Secretary of Defense may take appropriate actions to ensure that exchanges between senior military officers and senior civilian defense officials of the Government of India and the United States Government—

(1) are at a level appropriate to enhance engagement between the militaries of the two countries for developing threat analysis, military doctrine, force planning, logistical support, intelligence collection and analysis, tactics, techniques, and procedures, and humanitarian assistance and disaster relief;

(2) include exchanges of general and flag officers; and

(3) significantly enhance joint military operations, including maritime security, counter-piracy, counter-terror cooperation, and domain awareness in the Indo-Asia-Pacific region.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Senate now vote on these amendments en bloc.

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

Is there any further debate on these amendments?

Hearing none, the question is on agreeing to the amendments en bloc.

The amendments (Nos. 4138, 4293, 4112, 4177, 4354, 4079, 4317, 4031, 4169, 4236, 4119, 4095, 4086, 4071, 4247, and 4344) were agreed to en bloc.

Mr. MCCAIN. Mr. President, I mentioned to my colleagues that we would have these two votes later this afternoon, depending on an agreement between the majority leader and the Democratic leader. I thank my colleagues for their cooperation, and we look forward to those two votes.

I thank my colleague from Oregon for allowing me to make this unanimous consent request.

The PRESIDING OFFICER. For the information of all Senators, the Senate is under an order to recess at 12:30 p.m.

The Senator from Oregon.

Mr. WYDEN. Mr. President, I ask unanimous consent that Senator MERKLEY, my colleague from Oregon, be allowed to finish his remarks prior to the recess.

The PRESIDING OFFICER. Is there objection?

The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent that, at the conclusion of the Senator's remarks, I be recognized for my remarks for 8 minutes before the recess.

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

The Senator from Oregon.

HAZARDOUS MATERIALS RAIL TRANSPORTATION SAFETY IMPROVEMENT BILL

Mr. MERKLEY. Mr. President, in February of 2015, on Valentine's Day, a 100-car Canadian National Railway train hauling crude oil and petroleum distillates derailed in Ontario, Canada. The blaze burned for days.

Two days later, a 109-car CSX oil train derailed and caught fire near Mount Carbon, WV, leaking oil into a Kanawha River tributary and burning a house to its foundation. The blaze burned for weeks.

In November of last year, a dozen cars loaded with crude oil derailed from a Canadian Pacific Railway train, causing the evacuation of dozens of homes near Watertown, WI.

Let's take a look at this chart. In all, there have been 32 crashes involving oil trains since 2013. So in less than 4 years, there have been 32 crashes. I just highlighted a few of them. We see a massive increase of crude oil transported by rail. Therefore, there is a corresponding concern because of the explosive nature of this product and the derailments resulting in explosions and infernos.

Senator WYDEN and I have been calling for reform. We are going to keep pressing. We need better information for first responders on the scheduling of these trains. We need better knowledge of where the foam that can be used to respond is stored. We need more foam stored in more places. We need faster implementation of the brake standards and faster implementation of the speed standards and faster implementation of the railcar tanker standards.

But we have to understand what happened in every one of these wrecks. Let's take the same diligence to this that we take to aviation. We study every plane crash to understand what went wrong so we can take these lessons and diminish the odds of it happening again. The result is, we have incredibly safe aviation. Shouldn't we have the same standards when it applies to transportation across America with trains full of explosive oil running through the middle of our towns, not just in Oregon but all across this country? Haven't we learned in crash after crash after crash that these are not one-time isolated incidents, but something that happens with considerable regularity? Can't we do more?

Yes, we can. Yesterday, when I talked to the president of Union Pacific, I told him we were going to call for a moratorium, and Senator WYDEN and Governor Brown and Representatives BLUMENAUER and BONAMICI have joined in this effort. He heard our voice. He understands the challenge to these communities and the concerns that until the mess is cleaned up and until we understand and address the fundamental problems that contributed to this crash, no more oil should roll through the Columbia Gorge.

That is what we have called for. That is what we are going to keep persisting in. Let's stop this process of having oil train crash after oil train crash, explosion after explosion, inferno after inferno. The damage has gone up dramatically as the transportation of this oil has gone up dramatically. Incidents resulted in $30 million in damage last year, up from one-fourth of that the previous year.

So let's act. Let's act aggressively. Let's act quickly. Senator WYDEN's act would take us a powerful stride in the right direction.

Let's not look to our citizens and towns with rail tracks across this country and simply shrug our shoulders. Instead, let's say we know we have a major problem and we are going to be diligent and aggressive in solving it.

The PRESIDING OFFICER. The Senator from Oklahoma.

AMENDMENT NO. 4204

Mr. INHOFE. Mr. President, I ask unanimous consent to set aside the pending amendment in order to call up amendment No. 4204.

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

The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. INHOFE] proposes an amendment numbered 4204.

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

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

The amendment is as follows:

(Purpose: To strike the provision relating to the pilot program on privatization of the Defense Commissary System)

Strike section 662.

Mr. INHOFE. Mr. President, I ask unanimous consent that the following Senators be added as cosponsors to the Inhofe-Mikulski amendment No. 4204: SESSIONS, RUBIO, SHELBY, MORAN, WARREN, PETERS, and MENENDEZ.

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

Mr. INHOFE. Mr. President, we have been here before. The same language that is in the base bill right now was in a year ago. On the floor last year, we passed the Inhofe-Mikulski amendment, requiring a Secretary of Defense report on commissary benefits. It passed by unanimous consent with 25 bipartisan sponsors and cosponsors, and it was supported by 41 outside organizations and by the administration. It required a study on the impact of privatization of commissaries on military families before a pilot program on privatizing could be implemented that was to look at modifications to the commissary system.

I am sending the language now, which I will get to in a minute. It required a Comptroller General assessment of the plan no later than 120 days after submittal of the report.

Here is the situation. The House passed the fiscal year 2017 NDAA, and it doesn't include privatization language. The Senate version has the same language as last year, which would authorize a pilot program to privatize five commissaries on five major military bases. But only yesterday, we received the report from the Secretary of Defense. We have not yet received the Comptroller General's review.

Congress asked for this study because of concerns about the impact that privatization could have on our servicemembers and the commissary benefit. It seems as if we are taking away benefits. We are working these guys and gals harder than we ever have before, and this is one very significant benefit that is there.

Senator MIKULSKI and I, along with our now 38 cosponsors—last year it was 25—and with the support of 42 outside organizations are offering a simple amendment that strikes the privatization pilot program, allowing Congress to receive and vet the Secretary of Defense report and the valuation of the Comptroller.

This is not the first time this was done. The January 2015 report by the Military Compensation and Retirement Modernization Commission determined that commissaries were worth preserving, and they did not recommend privatization. That report took place almost 2 years ago.

When surveyed in 2014, 95 percent of the military members were using commissaries and gave them a 91-percent satisfaction rate.

According to the Military Officers Association of America, the average family of four who shops exclusively at commissaries sees a savings of somewhere between 30 percent to 40 percent.

Mr. President, I have six testimonials from military members about using commissaries that I wish to enter into the RECORD. They said the following:

''Our family needs the commissary! We wouldn't be able to afford a decent amount of groceries for our family if we had to shop off post!''

''My husband is currently active duty AF, and I drive 30 one way just to be able to shop at the commissary. We are stationed at a base in the middle of nowhere and if I were to shop at our local store, I would pay nearly twice as much. And, I know that a vast majority of those stationed where we are use the commissary for the same reason. And please consider those stationed overseas and in other rural locations. If the commissaries were privatized, they could increase the prices and without competition, our grocery bill would be significantly higher.''

''Whether I am in the states or overseas I use my benefits of lower food cost. I've been in the military for 22 years, I've seen a lot of changes. But this should not be one. If anyone from your office wants more information feel free to contact me.''

''While there are some items that may be found at a lower individual price on the economy the total combined savings remains constant.''

''When I went out in town and we tried to get the same amount, we got about half of the groceries that we could afford at the Commissary.''

''If you want to keep an all-volunteer military, you must keep the benefits that are in place as of today and for the future. All that are serving and have served depend on the

commissary and exchange for low-cost goods. If the Commission does not recommend a pay increase, all benefits are extremely needed.''

Commissaries are required to operate in remote areas. A lot of these objections are from commissaries in remote areas where people don't have any other place to actually make their purchases.

At a time when thousands of junior servicemembers and their families use food stamps, we should not be making changes that could increase costs at the checkout line.

The commissary benefit encourages people to reenlist, preserving a well-trained, dedicated military. It ensures that training investments are well spent, saving the expense of retraining the majority of the force every few years. The commissary savings and proximity and the consistency of the commissaries also encourage spouses, whose opinions may be a deciding factor in reenlistment decisions.

I know this is true. Just last Friday I was at Altus Air Force Base. I went into the commissary and talked to someone who was reconsidering. It was the wife of a flyer. Right now one of the biggest problems we have in the Air Force is the pilot shortage. They said that would be a major determining the factor. So it is the right thing to do.

It also provides jobs for families of servicemen. Sixty percent of the commissary employees are military related. The greatest benefit is that their jobs are transferable. If they are transferred from one place to another, they are already trained and ready to go.

As I said, the Department of Defense delivered their report only yesterday and no one has had a chance to really go over it. The mandated GAO review of this plan is now under way. Of course, it could be up to 120 days after this for the next step to become completed.

The report supports section 661 of the Senate bill regarding optimization of operations consistent with business practices, but it doesn't affect 662. That is the section where we had the pilot program.

We have addressed this before, but the report also acknowledges that privatization would not be able to replicate the range of benefits, the level of savings, and geographic reach provided by DeCA while achieving budget neutrality.

It states that the Department of Defense—and I am talking about the report from the Department of Defense—is continuing its due diligence on privatization by assessing the privatization-involved portions. They are already doing that right now. In fact, some things have already been privatized, such as the delis, the bakeries. They have been privatized already in those areas and that is actually working. So privatizing military commissaries before having a full assessment of the costs and benefits is not the responsible thing to do. We owe that to our members.

Mr. President, I ask unanimous consent to have printed in the RECORD the Members who are cosponsors and the organizations that are supporting the Inhofe-Mikulski amendment No. 4204.

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

INHOFE-MIKULSKI AMENDMENT #4204

(1) Boozman (R-Ark.), (2) Boxer (D-Cali.), (3) Brown (D-Ohio), (4) Burr (R-N.C.), (5) Capito (R-W.Va.), (6) Cardin (D-Md.), (7) Casey (D-Pa.), (8) Collins (R-Maine), (9) Gillibrand (D-N.Y.), (10) Hatch (R-Utah), (11) Heller (R-Nev.), (12) Hirono (D-Hawaii), (13) Kaine (D-Va.), (14) Klobuchar (D-Minn.), (15) Lankford (R-Okla.), (16) Markey (D-Mass.), (17) Menendez (D-N.J.), (18) Moran (R-Kan.).

(19) Murkowski (R-Alaska), (20) Murray (D-Wash.), (21) Nelson (D-Fla.), (22) Peters (D-Mich.), (23) Rounds (R-S.D.), (24) Rubio (R-Fla.), (25) Schatz (D-Hawaii), (26) Schumer (D-N.Y.), (27) Session (R-Ala.), (28) Shelby (R-Ala.), (29) Stabenow (D-Mich.), (30) Tester (D-Mont.), (31) Tillis (R-N.C.), (32) Udall (D-N.M.), (33) Vitter (R-La.), (34) Warner (D-Va.), (35) Warren (D-Mass.), (36) Whitehouse (D-R.I.).

42 ORGANIZATIONS SUPPORTING THIS AMENDMENT/OPPOSING PRIVATIZATION LANGUAGE IN THE BILL

(1) Air Force Sergeants Association, (2) American Federation of Government Employees, (3) American Federation of Labor and Congress of Industrial Organizations Teamsters, (4) American Logistics Association, (5) American Military Retirees Association, (6) American Military Society, (7) American Retirees Association, (8) American Veterans, (9) Armed Forces Marketing Council, (10) Army and Navy Union, (11) Association of the United States Army, (12) Association of the United States Navy, (13) Fleet Reserve Association, (14) Gold Star Wives of America.

(15) International Brotherhood of Teamsters, (16) Iraq and Afghanistan Veterans of America, (17) Jewish War Veterans of the United States of America, (18) Military Order of Foreign Wars, (19) Military Order of the Purple Heart, (20) National Defense Committee, (21) National Guard Association of the United States, (22) National Military Family Association, (23) National Military and Veterans Alliance, (24) Military Partners and Families Coalition, (25) Military Officers Association of America, (26) National Association for Uniformed Services, (27) Society of Military Widows, (28) The American Military Partner Association, (29) The Coalition to Save Our Military Shopping Benefits, (30) The Flag and General Officers Network.

(31) Tragedy Assistance Program for Survivors, (32) The Retired Enlisted Association, (33) Uniformed Services Disabled Retirees, (34) United States Army Warrant Officers Association, (35) Veterans of Foreign Wars, (36) Vietnam Veterans of America, (37) Iraq and Afghanistan Veterans of America, (38) National Industries for the Blind, (39) Naval Enlisted Reserve Association, (40) Reserve Officer Association, (41) Enlisted Association of the National Guard of the United States, (42) The American Legion.

Mr. INHOFE. Mr. President, I yield back the remainder of my time.

RECESS

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

Thereupon, the Senate, at 12:53 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017—Continued

The PRESIDING OFFICER. The Senator from Maryland.

AMENDMENT NO. 4204

Ms. MIKULSKI. Mr. President, I rise today to offer a bipartisan Inhofe-Mikulski amendment to the National Defense Act. What does our amendment do? It stops the privatization of commissaries, which are an earned benefit for our military and their families.

Every year when the Senate debates this bill, we talk about how we love our troops and how we always want to support our military families. But if we really love our troops, we need to make sure our troops have the support they need. One of the earned benefits that does that is the commissaries. And if we love our troops, why would we want to proceed in this direction of privatization? Our troops don't view commissaries as a subsidy; they view them, as do I, as an earned benefit. I am fighting here to preserve this piece of the earned benefit compensation package.

What are the commissaries? Since 1826, military families have been able to shop at a network of stores that provide modestly priced groceries. The commissary system is simple: If you are an Active-Duty, Reserve, National Guard, retired member, or a military family member, you have access to more than 246 commissaries worldwide. They give military members and their families affordability and accessibility to health foods.

Senator INHOFE spoke earlier about where these commissaries are. Some are located in our country, and some in remote areas, and over 40 percent are either in remote areas or overseas.

Last year Senator INHOFE and I stood up for military family benefits to stop privatization. Congress adopted our amendment, but in doing so required a DOD study assessing privatization, which would affect commissaries. We needed to understand how privatization would affect levels of savings, quality of goods, and impact on families. DOD finally gave us the report on June 6, 2016. So they dropped the report on D-day. And guess what. It reaffirms what Senator INHOFE and I have been saying: We should not privatize commissaries without additional study. The report is simple and straightforward: We should not proceed with the privatization or a pilot on privatization until further study.

First, DOD has demonstrated that privatization cannot replicate the savings the current commissary system provides. Second, privatization significantly reduces the benefits available to commissary patrons. And privatization would dramatically reduce the workforce, which is where so many military families work. The DOD cannot move