process are the costs of regulations. In fact, the vast majority of economic costs induced by federal actions remain off the books.

We propose reforming the legislative and regulatory processes to put these costs on the books. After all, proper budgeting is about making trade-offs between competing wants and limited resources, and it requires planning, setting priorities and making difficult decisions. But these decisions cannot be made without a more complete understanding of the direct and indirect costs of proposed legislation and spending bills, and their regulatory Progeny. Our proposal, called legislative impact accounting, would provide that information to Congress.

Estimates of the total cost of regulations vary widely, but by any account, they represent a significant cost to the economy. Government economists in the Office of Management and Budget tally up the direct compliance costs associated with rules created in the last decade that have an effect of more than $100 million annually. OMB's most recent estimate was that annual costs fall between $57 and $84 billion. Conversely, economists John Dawson and John Seater estimated how the economy would look if federal regulations were held to 1949 levels—essentially asking the question: What if, instead of spending resources on regulatory compliance, businesses invested in research and development? The answer was shocking. In 2011, instead of $15.1 trillion, annual GDP would have equaled $54 trillion . . .

Our proposal, legislative impact accounting, would incorporate economic analyses of legislation and regulation into the budget process in two ways: First, when new legislation is proposed, an independent office—perhaps the Congressional Budget Office—would produce an estimate of the economic costs the legislation would create. Importantly, a legislative impact assessment would attempt to consider economic costs of proposed legislation, not just budgetary outlays. Examples of some of the effects that could be included as specific line items are: direct compliance costs, employment effects, technological hindrances, trade distortions, and changes to the cumulative regulatory burden. This type of analysis is not unprecedented. The European Commission provides impact assessments on all legislation considered by the European Parliament.

Second, legislative impact accounting would require retrospective analyses of the economic effects of legislation, starting five years after the legislation passed. The idea is to learn what the real effects have been, and to then update the original estimates produced in the first stage. This would effectively create a much-needed feedback loop that communicates information about the economic effects of legislation back to Congress.

Mr. ENZI. I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016

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

The legislative clerk read as follows:

A bill (H.R. 1735) to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

McCain amendment No. 1463, in the nature of a substitute.

McCain amendment No. 1456 (to amendment No. 1463), to require additional information supporting long-range plans for construction of naval vessels.

Cornyn amendment No. 1486 (to amendment No. 1463), to require reporting on energy security issues involving Europe and the Russian Federation, and to express the sense of Congress regarding ways the United States could help vulnerable allies and partners with energy security.

Vitter amendment No. 1473 (to amendment No. 1463), to limit the retirement of Army combat units.

Markey amendment No. 1645 (to amendment No. 1463), to express the sense of Congress that exports of crude oil to United States allies and partners should not be determined to be consistent with the national interest if those exports would increase energy prices in the United States for American consumers or businesses or increase the reliance of the United States on imported oil.

Reed (for Blumenthal) amendment No. 1564 (to amendment No. 1463), to increase civil penalties for violations of the Servicemembers Civil Relief Act.

McCain (for Paul) modified amendment No. 1543 (to amendment No. 1463), to strengthen employee cost savings suggestions programs within the Federal Government.

Reed (for Durbin) modified amendment No. 1559 (to amendment No. 1463), to prohibit the award of Department of Defense contracts to inverted domestic corporations.

McCain (for Burr) modified amendment No. 1569 (to amendment No. 1463), to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats.

Feinstein (for McCain) amendment No. 1889 (to amendment No. 1463), to reaffirm the prohibition on torture.

Fischer/Booker amendment No. 1825 (to amendment No. 1463), to authorize appropriations for national security aspects of the Merchant Marine for fiscal years 2016 and 2017.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Madam President, as we return to the legislation, unfortunately we are still, apparently, unable to move forward with managers' packages and amendments and others. So I would like to apologize to my colleagues on both sides of the aisle who have pending amendments, who have parts of managers' packages, and who have invested so many hours of time and effort to this legislation, not to mention members of the committee who spent an inordinate amount of time putting together a Defense authorization bill that I think all of us on both sides, with the exception of four who voted against it, were proud of and a product that was accomplished in a bipartisan fashion.

I, again, want to thank my friend from Rhode Island for all of his hard work. But apparently right now we are still stuck in resistance. Rather than go through all of the reasons why, I hope we can have some serious negotiations in order for us to move forward and complete this legislation.

Meanwhile, the world moves on, and there are greater and greater challenges to our security. In fact, this morning the New York Times says: ''Trainers Intended as Lift, but Quick Iraq Turnaround Is Unlikely.'' That is The New York Times.

The New York Times says:

Mr. Obama's plan does not call for small teams of American troops to accompany Iraqi fighters onto the battlefield, to call in airstrikes or advise on combat operations. Nor is it likely to significantly intensify an air campaign in which American warplanes have been able to locate and bomb their targets only about a quarter of the time.

''This alone is not going to do it,'' said Michele A. Flournoy, who was the senior policy official in the Pentagon during Mr. Obama's first term. ''It is a great first step, but it should be the first in a series of steps.''

One of the reasons I have that quote from Michele Flournoy is that it is not just former Bush administration officials. It is former Obama administration officials who all agree that what we are doing is without strategy and without prospect of success.

POLITICO article: ''Obama's Iraq quagmire.''

The President finds himself dragged back into a war he was elected to end.

When pressed on why the latest efforts do not include having American troops serve as spotters for airstrikes or sending Apache aircraft to back up the Iraqi troops, Deputy National Security Adviser Ben Rhodes told reporters the president ''has been very clear he'll look at a range of different options.''

That is encouraging that the President has been very clear. I love it. All these spokespeople use two sorts of fillers: One is ''very clear'' and the other is ''quite frankly.''

Do you ever notice that? Isn't that interesting? Maybe we should take that out of their vocabulary—''very clear'' and ''frankly''—when they are neither clear nor frank.

But anyway, Mr. Rhodes said—he is really a very interesting guy: ''The U.S. military cannot and should not do this simply for Iraqis, and, frankly, Iraqis want to be in the lead themselves.''

''The U.S. military cannot and should not do this simply for Iraqis.''

Does anyone in the world think that the United States of America would be engaged simply for Iraqis? Has Mr. Rhodes ever listened to Mr. Baghdadi and ISIS and their intentions to attack and destroy America as much as they possibly can?

POLITICO: ''Trainers or advisors? White House and Pentagon don't agree.''

The White House says the new batch of troops deploying to Iraq are going to train Iraqi recruits to fight the Islamic State. The Pentagon says the 450 American personnel headed to Al-Taqaddum Air Base are going over just as advisers.

The mixed signals come as President Barack Obama struggles to find a balance between achieving his goal of ''degrading and ultimately destroying'' the terrorist group known as the Islamic State in Iraq and the Levant while avoiding restarting a war in

Iraq that he has worked to end since he became President in 2009.

From The Wall Street Journal editorial this morning: ''Obama's Latest Iraq Escalation.''

President Obama all but admitted on Wednesday that his strategy against the Islamic State is flailing by ordering an additional 450 U.S. military advisers to join the 3,500 already in Iraq. Alas, this looks like more of the half-hearted incrementalism that hasn't worked so far.

The fundamental problem with Mr. Obama's strategy is that he is so determined to show that the U.S. isn't returning to war in Iraq that he isn't doing enough to win the war we are fighting. In September he pledged to ''degrade'' and ultimately ''destroy'' ISIS—the kind of commitment a U.S. President must never make lightly. But his fitful bombing and timid special-forces campaign hasn't been able to stop the jihadist advances, much less drive it out of Iraq's western cities.

The longer ISIS stands up to a U.S. President pledging its destruction, the more of a magnet it becomes for young men willing to die for its perverted form of Islam.

Again, an article in the Wall Street Journal today: ''To U.S. Allies, Al Qaeda Affiliate in Syria Becomes the Lesser Evil.''

This is what so many of us were so concerned about when we literally begged for help for the Free Syrian Army back as long ago as 3 years ago—that we would end up in a situation where we had the Faustian choice of Al Qaeda, Bashar al-Assad versus Al Qaeda or Al Qaeda-affiliated organizations. That is a scenario that most of us said might happen, unless we supported the Free Syrian Army.

The Wall Street Journal says:

In the three-way war ravaging Syria, should the local Al Qaeda branch be seen as the lesser evil to be wooed rather than bombed?

This is increasingly the view of some of America's regional allies and even some Western officials.

Outnumbered and outgunned, the more secular, Western-backed rebels have found themselves fighting shoulder to shoulder with Nusra in key battlefields.

The list goes on and on.

Lebanon's Labor Minister, who is a prominent Lebanese Christian politician long opposed to Mr. Assad, said:

''This is great error—we refuse the choice between ISIS and Nusra, We want to choose between democracy and dictatorship, not between terrorism and terrorism. If the Syrians have to choose between ISIS, Nusra or Assad, they will choose Assad.''

That is exactly the situation that Assad has been hoping for.

The New York Times: ''Russian Groups Crowdfund the War in Ukraine.''

The Novorossiya Humanitarian Battalion boasts on its website that it provided funds to buy a pair of binoculars used by rebels in eastern Ukraine to spot and destroy an armored vehicle. . . . It is unclear just how extensive the fundraising network is, or how much money flows through it, though the separatist groups identified by The Times claim in social media posts to have raised millions of dollars.

The New York Times, ''Increasingly Frequent Call on Baltic Sea: 'The Russian Navy Is Back.' ''

The Wall Street Journal, ''The New Cold War's Arctic Front: Putin is militarizing one of the world's coldest, most remote regions.''

The Washington Post:

The U.S. should send aid to democracy's front lines in Ukraine.

In the past several months, Ukraine's freely elected government has taken dramatic steps to reform its economy, fight corruption and rebuild democratic institutions. It has imposed painful austerity on average Ukrainians, stripped oligarchs of political and economic privileges and rewritten laws to encourage free enterprise and foreign investment. It has done all this even while fighting a low-grade war against Russia, which has deployed an estimated 10,000 troops to eastern Ukraine and, with its local proxies, attacks Ukrainian forces on a near-daily basis. . . . What's missing is a decision by Mr. Obama to make the defense of Ukraine a priority. The president has ceded leadership on the issue to Germany and France and overridden those in his administration and Congress who support arms deliveries. . . . A stronger U.S. commitment to Ukraine will not guarantee its success. But Mr. Obama's lukewarm support risks a catastrophic failure for the cause of Western democracy.

I cannot emphasize enough to my colleagues that this is a critical and fundamental issue as to whether we will provide defensive weapons to Ukraine, and I would remind my colleagues who don't want to send American troops anywhere that they are not asking for American troops. They are not asking for a single boot on the ground. Why in the world we can't provide them with defensive weapons is something I will never understand as long as I live.

The New York Times, ''Hackers May Have Obtained Names of Chinese with Ties to U.S. Government.''

And, of course, we all know that in the last week some 4 million Americans, at least, have been hacked into and had some of their most sensitive information broken into, which is one of the arguments many of us had for consideration of the cyber bill on the floor of the Senate as part of the Defense bill. Obviously, we are in a cyber war. Obviously, it requires the involvement and engagement of the Department of Defense, along with our intelligence agencies, and that is why I am a bit taken aback by the vociferous opposition by my colleagues on that side of the aisle to addressing this issue since it is clearly part of the defense and security of this Nation.

I would like to mention—and I appreciate the indulgence of my friend from Rhode Island—the issue of Russian rocket engines. Less than 6 months after the prohibition was enacted in last year's NDAA, which would end the use of RD–180 on military space launches by 2019, the administration has stated they want access to 14 more Russian rocket engines. Agreeing to the administration's request endorses another 8 years of Russian rocket engines and over $300 million for Vladimir Putin and his cronies.

We must not reward Vladimir Putin and the Russian military industrial complex. We cannot in good conscience agree to reward the Russian military industrial base with over $300 million in rocket engines while they occupy Crimea, destabilize Ukraine, send weapons to Iran, and violate the 1987 Intermediate-Range Nuclear Forces Treaty.

The bill before us today would limit the use of Russian rocket engines and restates the committee's direction to end the use of Russian engines for national security space launches by 2019. There are some who want to continue our Nation's dependence on Russian rocket engines. The NDAA would put an end to this dependence and stop hundreds of millions of dollars from going to Vladimir Putin. We can meet our national security space needs without Russia, and we must lead by example by eliminating our dependence as quickly as possible and fostering competition.

I say to my colleagues, we have two launch providers, ULA and SpaceX. Regardless of the Russian RD–180, we will be able to provide full redundant capabilities by 2017 with the Delta IV, Falcon 9, and Falcon Heavy. There will be no capability gap. The Atlas 5 is not going anywhere anytime soon. With the engines allowed under this amendment, ULA has enough Atlas 5s to get them through at least 2018, if not later.

As the New York Times editorial board stated last week:

When sanctions are necessary, the countries that impose them must be willing to pay a cost, too. After leaning on France to cancel the sale of two ships to Russia because of the invasion of Ukraine, the United States can hardly insist on continuing to buy national security hardware from one of Mr. Putin's cronies.

I have a Reuter's article from last year. ''Comrade Capitalism: In murky Pentagon deal with Russia, big profit for a tiny Florida firm.''

ULA's dealings with Russia are troubling and ethically questionable. A Reuters investigation this past November on the RD–180 raises troubling issues regarding the businesses and shell companies that facilitate the purchase of Russian rocket engines. The report describes a five-person company called RD AMROSS, a joint venture between Russian rocket engine manufacturer Energomash and Pratt and Whitney Rocketdyne that collects nearly $93 million in cost markups.

The article uncovers that in the past, RD AMROSS was investigated by the Defense Contract Management Agency, which determined that in a previous contract, RD AMROSS had collected $80 million in ''unallowable excessive pass-through charges.''

The article titled ''Comrade Capitalism'' also exposed the role senior Russian politicians and close friends of Vladimir Putin play in the in the Energomash management. The article states that according to a Russian audit of Energomash, the Russian rocket manufacturer had been operating at a loss because funds were

''being captured by unnamed offshore intermediary companies.''

Well, I just want to say there is no argument for the continued purchase of these rocket engines from the Russians—from Vladimir Putin and his cronies, one of whom was involved in the management and has been sanctioned by the United States of America.

I have confidence America is capable of building our own rocket engines, and I am confident we can do that in a reasonable period of time—like 1 to 2 years. For us to commit to the continued use of these rocket engines and making millions and millions of dollars, in this case $300 million, for Vladimir Putin and his cronies is—the question has to be asked of individuals who want to continue the purchase of these rocket engines from this Russian shell company: Why do you want to help Vladimir Putin? Why do you want to help Vladimir Putin and his cronies by giving them as much as $300 million? That is a legitimate question.

If any of my colleagues who support this basically unlimited or continued purchase of rocket engines from Russia rather than having it terminated in a reasonable and very short time, the question has to be asked: Why are you helping Vladimir Putin? Why are you helping his cronies? That is a legitimate question, and if any of my colleagues try to force this continued and unnecessary purchase of Russian rocket engines, that question needs to be asked of them.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 1473, AS MODIFIED

Mr. VITTER. Madam President, I ask unanimous consent that my amendment No. 1473 be modified with the changes at the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment, as modified, is as follows:

On page 38, line 12, insert after ''**FIGHTER AIRCRAFT**'' the following: ''**AND ARMY COMBAT UNITS**''.

On page 43, between lines 3 and 4, insert the following:

(e) MINIMUM NUMBER OF ARMY BRIGADE COMBAT TEAMS.—Section 3062 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(e)(1) Effective October 1, 2015, the Secretary of the Army shall maintain the following:

''(A) A total number of brigade combat teams for the regular and reserve components of the Army of not fewer than 32 brigade combat teams.

''(B) A total number of brigade combat teams for the Army National Guard of not fewer than 26 brigade combat teams.

''(2) In this subsection, the term ' brigade combat team' means any unit that consists of—

''(A) an arms branch maneuver brigade;

''(B) its assigned support units; and

''(C) its assigned fire teams''.

(f) REDUCTION OF ARMY BRIGADE COMBAT TEAMS.—

(1) PRESERVATION OF TEAMS.—The Secretary of the Army shall give priority to maintaining 32 brigade combat teams for the Army as required by subsection (e)(1) of section 3062 of title 10 United States Code (as amended by subsection (e) of this section), and shall carry out such priority as funding or appropriations become available to maintain such war fighting capability.

(2) REDUCTION.—Notwithstanding subsection (e)(1) of section 3062 of title 10 United States Code (as so amended), or paragraph (1) of this subsection, the Secretary may, after October 1, 2015, reduce the number of brigade combat teams for the Army to fewer than 32 brigade combat teams upon the latest of the following:

(A) The date that is 30 days after the date on which the Secretary submits the report required by paragraph (3).

(B) The date that is 30 days after the date on which the Secretary certifies to the congressional defense committees that the reduction of Army brigade combat teams will not increase the operational risk of meeting the National Defense Strategy.

(C) The date that is 30 days after the date on which the Secretary certifies to the congressional defense committees that funding or appropriations are not adequate to sustain 32 brigade combat teams for the regular Army.

(3) REPORT.—The Secretary shall submit to the congressional defense committees a report setting forth the following:

(A) The rationale for any proposed reduction of the total strength of the Army, including the National Guard and Reserves, below the strength provided in subsection (e) of section 3062 of title 10, United States Code (as so amended), and an operational analysis of the total strength of the Army that demonstrates performance of the designated mission at an equal or greater level of effectiveness as the personnel of the Army so reduced.

(B) An assessment of the implications for the Army, the Army National Guard of the United States, and the Army Reserve of the force mix ratio of Army troop strengths and combat units after such reduction.

(C) Such other matters relating to the reduction of the total strength of the Army as the Secretary considers appropriate.

(g) ADDITIONAL REPORTS.—

(1) IN GENERAL.—At least 90 days before the date on which the total strength of the Army, including the National Guard and Reserves, is reduced below the strength provided in subsection (e) of section 3062 of title 10, United States Code (as amended by subsection (e) of this section), the Secretary of the Army, in consultation with (where applicable) the Director of the Army National Guard or Chief of the Army Reserve, shall submit to the congressional defense committees a report on the reduction.

(2) ELEMENTS.—Each report submitted under paragraph (1) shall include the following:

(A) A list of each major combat unit of the Army that will remain after the reduction, organized by division and enumerated down to the brigade combat team-level or its equivalent, including for each such brigade combat team—

(i) the mission it is assigned to; and

(ii) the assigned unit and military installation where it is based.

(B) A list of each brigade combat team proposed for disestablishment, including for each such unit—

(i) the mission it is assigned to; and

(ii) the assigned unit and military installation where it is based.

(C) A list of each unit affected by a proposed disestablishment listed under subparagraph (B) and a description of how such unit is affected.

(D) For each military installation and unit listed under subparagraph (B)(ii), a description of changes, if any, to the designed operational capability (DOC) statement of the unit as a result of a proposed disestablishment.

(E) A description of any anticipated changes in manpower authorizations as a result of a proposed disestablishment listed under subparagraph (B).

(h) REPORT MANNING OF BRIGADE COMBAT TEAMS AT ACHIEVEMENT OF ARMY ACTIVE END-STRENGTH.—Upon the achievement of the end strength for active duty personnel of the Army specified in section 401(1), the Secretary of the Army shall submit to the congressional defense committees a report on the current manning of each brigade combat team of the Army.

(i) CONSTRUCTION.—Nothing in this section should be construed to supersede Army manning of brigade combat teams at designated levels.

Mr. VITTER. Madam President, I discussed this amendment yesterday on the floor. It deals with brigade combat teams in the Army, making sure we don't cut through fat and into meat and bone with regard to that essential part of our force. I urge bipartisan support of this commonsense amendment.

There is already language in the underlying bill that takes similar action on the Air Force side and on the Navy side with regard to major, significant key units in those forces, and it is the same principle that would be applied to the Army's brigade combat teams.

This amendment is strongly supported by the national organizations built around both the Army National Guard and the Regular Army.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

AMENDMENT NO. 1564

Mr. REED. Madam President, I call for regular order with respect to amendment No. 1564.

The PRESIDING OFFICER. The amendment is now pending.

AMENDMENT NO. 1564, AS MODIFIED

Mr. REED. I have a modification to that amendment, which is at the desk.

The PRESIDING OFFICER. The amendment is so modified.

The amendment, as modified, is as follows:

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

SEC. 1085. INTEREST RATE LIMITATION ON DEBT ENTERED INTO DURING MILITARY SERVICE TO CONSOLIDATE OR REFINANCE STUDENT LOANS INCURRED BEFORE MILITARY SERVICE.

(a) IN GENERAL.—Subsection (a) of section 207 of the Servicemembers Civil Relief Act (50 U.S.C. App. 527) is amended—

(1) in paragraph (1), by inserting ''ON DEBT INCURRED BEFORE SERVICE'' after ''LIMITATION TO 6 PERCENT'';

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(3) by inserting after paragraph (1) the following new paragraph (2):

''(2) LIMITATION TO 6 PERCENT ON DEBT INCURRED DURING SERVICE TO CONSOLIDATE OR REFINANCE STUDENT LOANS INCURRED BEFORE SERVICE.—An obligation or liability bearing interest at a rate in excess of 6 percent per year that is incurred by a servicemember, or the servicemember and the servicemember's spouse jointly, during military service to consolidate or refinance one or more student loans incurred by the servicemember before such military service shall not bear an interest at a rate in excess of 6 percent during the period of military service.'';

(4) in paragraph (3), as redesignated by paragraph (2) of this subsection, by inserting ''or (2)'' after ''paragraph (1)''; and

(5) in paragraph (4), as so redesignated, by striking ''paragraph (2)'' and inserting ''paragraph (3)''.

(b) IMPLEMENTATION OF LIMITATION.—Subsection (b) of such section is amended—

(1) in paragraph (1), by striking ''the interest rate limitation in subsection (a)'' and inserting ''an interest rate limitation in paragraph (1) or (2) of subsection (a)''; and

(2) in paragraph (2)—

(A) in the paragraph heading, by striking ''AS OF DATE OF ORDER TO ACTIVE DUTY''; and

(B) by inserting before the period at the end the following: ''in the case of an obligation or liability covered by subsection (a)(1), or as of the date the servicemember (or servicemember and spouse jointly) incurs the obligation or liability concerned under subsection (a)(2)''.

(c) STUDENT LOAN DEFINED.—Subsection (d) of such section is amended by adding at the end the following new paragraph:

''(3) STUDENT LOAN.—The term 'student loan' means the following:

''(A) A Federal student loan made, insured, or guaranteed under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

''(B) A private student loan as that term is defined in section 140(a) of the Truth in Lending Act (15 U.S.C. 1650(a)).''.

SEC. 1086. TERMINATION OF RESIDENTIAL LEASES AFTER ASSIGNMENT OR RELOCATION TO QUARTERS OF UNITED STATES OR HOUSING FACILITY UNDER JURISDICTION OF UNIFORMED SERVICE.

(a) TERMINATION OF RESIDENTIAL LEASES.—

(1) IN GENERAL.—Section 305 of the Servicemembers Civil Relief Act (50 U.S.C. App. 535) is amended—

(A) in subsection (a)(1)—

(i) in subparagraph (A), by striking ''or'' at the end;

(ii) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following new subparagraph:

''(C) in the case of a lease described in subsection (b)(1) and subparagraph (C) of such subsection, the date the lessee is assigned to or otherwise relocates to quarters or a housing facility as described in such subparagraph.''; and

(B) in subsection (b)(1)—

(i) in subparagraph (A), by striking ''or'' at the end;

(ii) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following new subparagraph:

''(C) the lease is executed by or on behalf of a person who thereafter and during the term of the lease is assigned to or otherwise relocates to quarters of the United States or a housing facility under the jurisdiction of a uniformed service (as defined in section 101 of title 37, United States Code), including housing provided under the Military Housing Privatization Initiative.''.

(2) MANNER OF TERMINATION.—Subsection (c)(1) of such section is amended—

(A) in subparagraph (A)—

(i) by inserting ''in the case of a lease described in subsection (b)(1) and subparagraph (A) or (B) of such subsection,'' before ''by delivery''; and

(ii) by striking ''and'' at the end;

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following new subparagraph (B):

''(B) in the case of a lease described in subsection (b)(1) and subparagraph (C) of such subsection, by delivery by the lessee of written notice of such termination, and a letter from the servicemember's commanding officer indicating that the servicemember has been assigned to or is otherwise relocating to quarters of the United States or a housing facility under the jurisdiction of a uniformed service (as defined in section 101 of title 37, United States Code), to the lessor (or the lessor's grantee), or to the lessor's agent (or the agent's grantee); and''.

(b) DEFINITION OF MILITARY ORDERS AND CONTINENTAL UNITED STATES FOR PURPOSES OF ACT.—

(1) TRANSFER OF DEFINITIONS.—Such Act is further amended by transferring paragraphs (1) and (2) of section 305(i) (50 U.S.C. App. 535(i)) to the end of section 101 (50 U.S.C. App. 511) and redesignating such paragraphs, as so transferred, as paragraphs (10) and (11).

(2) CONFORMING AMENDMENTS.—Such Act is further amended—

(A) in section 305 (50 U.S.C. App. 535), as amended by paragraph (1), by striking subsection (i); and

(B) in section 705 (50 U.S.C. App. 595), by striking ''or naval'' both places it appears.

SEC. 1087. PROTECTION OF SURVIVING SPOUSE WITH RESPECT TO MORTGAGE FORECLOSURE.

(a) IN GENERAL.—Title III of the Servicemembers Civil Relief Act (50 U.S.C. App. 531 et seq.) is amended by inserting after section 303 (50 U.S.C. App. 533) the following new section:

''SEC. 303A. PROTECTION OF SURVIVING SPOUSE WITH RESPECT TO MORTGAGE FORECLOSURE.

''(a) IN GENERAL.—Subject to subsection (b), with respect to a servicemember who dies while in military service and who has a surviving spouse who is the servicemember's successor in interest to property covered under section 303(a), section 303 shall apply to the surviving spouse with respect to that property during the one-year period beginning on the date of such death in the same manner as if the servicemember had not died.

''(b) NOTICE REQUIRED.—

''(1) IN GENERAL.—To be covered under this section with respect to property, a surviving spouse shall submit written notice that such surviving spouse is so covered to the mortgagee, trustee, or other creditor of the mortgage, trust deed, or other security in the nature of a mortgage with which the property is secured.

''(2) TIME.—Notice provided under paragraph (1) shall be provided with respect to a surviving spouse anytime during the one-year period beginning on the date of death of the servicemember with respect to whom the surviving spouse is to receive coverage under this section.

''(3) ADDRESS.—Notice provided under paragraph (1) with respect to property shall be provided via e-mail, facsimile, standard post, or express mail to facsimile numbers and addresses, as the case may be, designated by the servicer of the mortgage, trust deed, or other security in the nature of a mortgage with which the property is secured.

''(4) MANNER.—Notice provided under paragraph (1) shall be provided in writing by using a form designed under paragraph (5) or submitting a copy of a Department of Defense or Department of Veterans Affairs document evidencing the military service-related death of a spouse while in military service.

''(5) OFFICIAL FORMS.—The Secretary of Defense shall design and distribute an official Department of Defense form that can be used by an individual to give notice under paragraph (1).''.

(b) EFFECTIVE DATE.—Section 303A of such Act, as added by subsection (a), shall apply with respect to deaths that occur on or after the date of the enactment of this Act.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act (50 U.S.C. App. 501) is amended by inserting after the item relating to section 303 the following new item:

''Sec. 303A. Protection of surviving spouse with respect to mortgage foreclosure.''.

SEC. 1088. MAKING PERMANENT EXTENDED PERIOD OF PROTECTIONS FOR MEMBERS OF UNIFORMED SERVICES RELATING TO MORTGAGES, MORTGAGE FORECLOSURE, AND EVICTION.

Section 710(d) of the Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012 (Public Law 112–154) is amended by striking paragraphs (1) and (3).

SEC. 1089. INCREASE IN CIVIL PENALTIES FOR VIOLATION OF SERVICEMEMBERS CIVIL RELIEF ACT.

(a) IN GENERAL.—Section 801(b)(3) of the Servicemembers Civil Relief Act (50 U.S.C. App. 597(b)(3)) is amended—

(1) in subparagraph (A), by striking ''$55,000'' and inserting ''$110,000''; and

(2) in subparagraph (B), by striking ''$110,000'' and inserting ''$220,000''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date that is 180 days after the date of the enactment of this Act and shall apply with respect to violations of the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.) that occur on or after such date.

Mr. REED. I thank the Presiding Officer, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

BIPARTISAN SOLUTIONS

Mr. SCHUMER. Madam President, this morning I heard the distinguished majority leader say it was a time for bipartisan solutions. He said: ''What America needs right now is a season of serious bipartisan solutions.''

Democrats couldn't agree more. We have been asking for weeks for all parties to sit down and start talking about the budget—not at the eleventh hour, not when we are already at the edge of a cliff, but now.

From a substantive perspective, this only makes sense. Both parties hate the sequester. Both parties understand there is a smarter way to budget than senselessly acting as though we are hostage to these arbitrary, meat-cleaver cuts that were never intended to go into effect, whether on the defense side or on the nondefense side.

So, Mr. Majority Leader, let's sit down and start talking about some serious bipartisan solutions.

The majority leader makes it seem as though he has been negotiating and being fair. Every number in the Appropriations Committee had no consultation from the Democrats. They just chose the numbers. That is not bipartisan. They did not talk to the White House, which has veto power over every one of these. That is not bipartisan.

We all know that the only way we are going to get something done on the budget, on the spending bills is by sitting down together and talking. Why not sooner rather than later? Why not now rather than at the last minute?

There is a charade going on by my friends on the other side. They totally decide the appropriations numbers by themselves. They totally decide to use OCO for defense but they do nothing for the nondefense side. Then they say: Let's move forward with those bills.

That is not bipartisan. Have any Democrats been consulted? I ask the majority leader: Who has he consulted on the other side of the aisle about his numbers? Who has he consulted at the White House about his numbers? He knows he needs input from both to get anything done.

I think what the majority leader wants to do is play a game of chicken—wait until the end and then say: Do it our way. Well, that is not going to work.

Over the next month or two, the American people are going to see that we will not move forward on these proposals until—but certainly with great vigor when—there is a bipartisan discussion and agreement. We all know how this place works. The Senate and our system of government—both the executive and the Congress—are involved in doing the budget and doing the appropriations bills in particular. It works only when both parties come to agreement. When one party tries to shove things down the other party's throat, which, in all due respect, is what the majority leader is now doing, we end up with worries and sometimes the reality of a government shutdown. If the majority leader wants that, he should continue with this strategy, and any shutdown will be on his hands. We don't want that, the American people don't want that, and my guess is most of the Members on this side of the aisle don't want that. We want to come to an agreement.

All we want the majority leader to do is talk to us, not to decide in his office or maybe with the chair of the Appropriations Committee what all the numbers should be—how much to spend on defense, how much to spend on education, how much to spend on highways. Those are some of the most important decisions we make around here, and they will not be made without bipartisanship, sooner rather than later.

Mr. Majority Leader, like it or not, we have a Democratic President, and we have 46 Democratic votes in the Senate—enough to stop us from moving forward if we can't negotiate—like it or not, Mr. Majority Leader.

The path the majority leader is pursuing is a cul-de-sac that will either force us to sit down and negotiate later in the day or force a CR, which no one wants, or even if some of the people on that side of the aisle have their way, a government shutdown, as they did once before. None of those is a good solution. The best solution is for us to all sit down and talk. We should not keep kicking the can down the road. Yet, here we are.

In Roll Call this week: ''McConnell Cool to Budget Summit.''

When he was asked: Is it time to start talking about the budget, he replied: No, of course not. Why? What is his logic? His logic is Democrats should just accept everything Republicans want.

That is not why we have two parties. That is not how the Senate works. That is not how democracy works. There is nothing left for Democrats to conclude other than that there is a yawning chasm between the Republican leader's stated intentions and his actions to date, because the current posture by the majority has been this: my way or shut down the government. Well, we have seen that before, it didn't work, and it is not going to work this time.

We are saying, let's negotiate and let's start those negotiations soon, before it is too late. If the Republican leader truly wants a season of bipartisan solutions, well, the winds are blowing in one direction. Sit down with Democrats and let's start negotiating a sensible budget, and let's start doing it now. We are ready to sit down this afternoon. We are ready to sit down at any moment that he gives us a signal. Let's get in the room and start the real work of finding bipartisan agreement on the budget, plain and simple.

One other thing, when the American people ask why Washington so gridlocked, just look at how the majority leader is handling one of the most important parts of what the government does, where the dollars go. There is gridlock when one side insists that it has to get all of its way and not sit down with the other side. That is the path at the moment that the majority leader is on. We hope he gets off of it. It is untenable. It won't work. It will lead to a bad solution.

Once again, I repeat: We are willing to sit down and start talking about the budget, talking about how much to spend on defense and transportation and education and medical research today. We are waiting, Mr. Majority Leader, for you to give us that ability, that signal, so we can actually enact a budget without acrimony and that will work for this great country of ours.

I yield the floor.

AMENDMENT NO. 1569, AS MODIFIED

Mr. LEAHY. Madam President, earlier this year, the Senate Intelligence Committee reported the Cybersecurity Information Sharing Act to the Senate floor. This bill is intended to facilitate sharing of cyber threat information between the private sector and the government. While this could be useful in protecting against cyber attacks, I am concerned that certain provisions in the Senate Intelligence Committee's bill would severely undermine Americans' privacy.

Senator BURR's bill would remove all existing legal restrictions to allow an unprecedented wave of information—including Americans' personal communications—to flow from the private sector into government databases without any meaningful controls or limitations. It would explicitly authorize the government to use this information to ''prevent'' crimes that have nothing to do with cybersecurity, such as firearms possession, arson, and robbery.

These problems are compounded by the fact that this bill requires all information provided to the government through the information-sharing regime to be immediately disseminated, which does not allow time for removal of unnecessary private information, to a number of Federal agencies—including the National Security Agency and others. We do not know whether this information would also be shared with the Drug Enforcement Administration, or the Internal Revenue Service, for example. We do know this would open a new flow of information to the Federal Government, without appropriate restrictions on how these agencies can store, query, or mine this information.

Congress should enact cybersecurity legislation to protect American businesses and the American people. But we need a cyber security bill, not a cyber surveillance bill.

There are also provisions in this bill that add entirely new exemptions to the Freedom of Information Act, FOIA. These provisions are completely unnecessary, and have the potential to greatly weaken government transparency.

Senator BURR's information sharing bill is major legislation that deserves full debate and a meaningful opportunity for Senators to offer amendments to improve the bill. It has had neither.

The bill was drafted behind closed doors. It has not been the subject of any open hearings or public debate. The text of the bill was only made public by the Intelligence Committee after it was reported to the Senate floor, and no other committee of jurisdiction—including the Judiciary Committee—was allowed to consider and improve the bill. I shared with Chairman GRASSLEY my concern that the Judiciary Committee should also consider this bill, and Chairman GRASSLEY assured me that there would be a ''robust and open amendment process'' if this bill were considered on the Senate floor. I expect that the Senate Homeland Security Committee received the same assurances.

Senator BURR's attempt to offer the Intelligence Committee's information sharing bill as an amendment to the

National Defense Authorization Act runs directly counter to those assurances. This is not a sincere effort to consider and pass this bill under regular order. Instead, through a series of procedural maneuvers, Republican leadership is deliberately preventing any type of meaningful debate on this bill.

I agree that we must do more to protect our cyber security, but we should not rush to pass legislation that has significant privacy implications for millions of Americans. We must be thoughtful and responsible. Attempting to stifle meaningful debate and pass this bill as an amendment to the NDAA is the wrong answer. That is not how the Senate should operate. I urge Senators to vote no on cloture.

AMENDMENT NO. 1473, AS MODIFIED

Mr. MORAN. Madam President, Senator VITTER spoke about his amendment, No. 1473, to the fiscal year 2016 National Defense Authorization Act, which makes certain our U.S. Army is able to maintain the current number of brigade combat teams to prevent further reductions to the Army force structure.

I support Senator VITTER's amendment and encourage my colleagues to do the same so that our military men and women are prepared to face our Nation's evolving national security threats.

Our Army and soldiers here at home and abroad need all the support we can give them. In the coming months, I look forward to welcoming home Major General Funk, who is currently serving in Iraq and leading the front against ISIS. We must remember that he and the soldiers he commands need our help and protection, just as they serve and protect us.

The across-the-board cuts called for in the Budget Control Act, including a reduced force structure, make no sense when our country continues to face global threats. The cuts fail to establish priorities and suggest that every program has equal value, which is not the case.

In my home State of Kansas, these reductions could have a significant impact on the Intellectual Center of the Army, Fort Leavenworth, and the Army's First Infantry Division, the Big Red One.

The Big Red One is just one of the many divisions across the country that could lose entire brigade combat teams, BCTs, degrading our Army's ability to meet current and emerging challenges such as Russian aggression, Ebola response operations, and taking on terrorist organizations like ISIS or Al Shabaab. I mention these specific examples because they are the most recent situations over the last 12 months that call on our Armed Forces to be ready and resilient.

Without arbitrary budget reductions, the Army would not intentionally choose to downsize the Army and let valuable soldiers go.

As the cochair for the Senate Defense Communities Caucus, we must consider our towns and citizens who overwhelmingly support our military. These reductions make no common sense for our communities and the soldiers and their families who call our towns home.

These reductions impact the morale of the men and women who serve our country, as well as their families, at a time when we need their commitment and readiness the most.

I urge my colleagues to support Senator VITTER's amendment. Maintaining our Nation's military forces must be our top priority. A capable and strong national defense is critical to the security of the United States and is our Federal Government's primary constitutional responsibility.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. ROUNDS. Madam President, I rise today to encourage my colleagues to join the bipartisan group of Armed Services Committee members who support a very important measure for our troops. Last month, we overwhelmingly voted in favor of the National Defense Authorization Act for 2016 that the Senate is considering today.

The defense of our Nation is a fundamental responsibility of the Federal Government, and the annual passage of the NDAA is an important step in making sure that our servicemembers have what they need to do their job and to succeed. These brave men and women selflessly sacrifice everything to keep us safe from the forces of darkness that wish to do us harm. We owe it to these men and women to wisely work together to make certain they have the necessary tools to accomplish their dangerous and demanding missions, and that is what we did in the Armed Services Committee just a few weeks ago.

Under the leadership of Chairman MCCAIN and Ranking Member REED, we reported a bill out of committee that not only supports our Armed Forces but makes a host of needed reforms as well, and we did this overwhelmingly by a bipartisan vote of 22 to 4.

I would like to cite a number of the bill provisions which make our Nation stronger and which I hope Congress and the President will enact into law.

Our bill cuts nearly $10 billion in wasteful and duplicative spending, thereby freeing up additional funds to develop and procure weapons systems of the future, while also giving our troops in combat the tools they need today.

This bill also makes important reforms aimed at recruiting and retaining the All-Volunteer Force that has so consistently defended our country for over four decades.

The Armed Services Committee produced this legislation by using the limited and admittedly less than optimal funding tools at its disposal. For now, the hand we are dealt is limited by the Budget Control Act, which includes arbitrary spending caps and the threat of sequestration. So in our bill we are funding our Armed Forces using funds from the overseas contingency operations account. We are doing so at a level above that requested by the President for this account. OCO was included in the Budget Control Act because Members of the 112th Congress recognized the importance of funding our men and women who serve on the frontlines.

I believe that many Members of the Senate fervently hope that in the near future we will be able to fund our government in a fiscally sound manner, without the irrational budget caps and threat of sequestration that pervades all of Congress's budgetary deliberations.

I am willing to work with any of my colleagues on either side of the aisle to fix the Budget Control Act, but until that day comes, we need to use the funding options we have available to keep America safe. The legislation before us today does exactly that. We are following the rules that are in force today.

I am proud of my colleagues who serve with me on the Armed Services Committee for coming together to achieve a truly bipartisan, comprehensive bill. Our bill will support our troops and meet the demands of a military that needs to continue its dynamic evolution in the face of ever more sophisticated threats. And I am pleased that a number of provisions I offered are included in the final package we are debating today.

Now that we have completed our work in committee and Leader MCCONNELL has brought our bill to the full Senate for debate, we must come together to pass the NDAA, as the Senate has done each year for more than five decades. It is no coincidence that the NDAA is the only legislation to achieve this track record; rather, it indicates the vital importance that generations of Senate Members have attached to it. The defense of our country is not a partisan issue.

The bipartisan NDAA sustains what our servicemembers need to succeed in a world that grows ever more dangerous. From the Russian aggression in Ukraine and mounting Chinese coercion in Asia to the ugly aggression of the self-proclaimed Islamic State in the Middle East, new threats continue to rise throughout the world. These threats are multifaceted, and our enemy's tactics ever-changing. We must make certain our Armed Forces can continue to face these challenges, and we must uphold our commitment to them.

I encourage my colleagues to pass the NDAA, and I encourage our President to work with Congress to keep Americans safe.

Thank you, Madam President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

ZIVOTOFSKY V. KERRY DECISION

Mr. COTTON. Madam President, earlier this week, the Supreme Court

wrongly decided the case of Zivotofsky v. Kerry, an unprecedented decision which impairs Congress's role in foreign policy and which is an affront to our close ally Israel.

The Zivotofsky case concerned the executive branch's refusal to implement a 2002 law passed by Congress and signed by the President. The law required State Department officials to offer U.S. persons born in Jerusalem the option of listing Israel as their location of birth on passports and other consular documents. The State Department's practice had been to list the place of birth only as Jerusalem, reflecting the President's policy of not recognizing any national sovereign authority over the Holy City.

Despite the fact that a President signed the statute into law, the executive branch has fought tooth and nail for 13 years to free itself from what it viewed as the heavy burden of writing the word ''Israel'' on one line in a tiny number of U.S. passports, and it argued its case all the way to the Supreme Court.

In litigating the Zivotofsky case, it is no surprise that the President outlined a maximalist vision for his power to steer the Nation's foreign policy, leaving little room for the people's representatives in Congress. But it was a surprise that the Supreme Court acquiesced to the President's position.

Before Monday, in the entire 225-year history of our Nation, the Supreme Court had never sided with a President's blatant refusal to comply with a duly-passed statute affecting the conduct of foreign affairs. This is a remarkable and disturbing break with precedent and one made through a poorly reasoned judicial opinion. The Court announced that the President possesses an exclusive constitutional power to recognize other nations and that this power crowds out any attempt by Congress to legislate in this area, including on how locations of birth are characterized on passports.

But this conclusion suffers from a number of problems. The Court is supposed to only find a preclusive executive power where such a power is clearly committed to the executive branch in our Constitution. But nowhere in the text of the Constitution is there a reference to a recognition power, let alone an allocation of such a power to the President alone. The Court acknowledges this in its opinion, so it instead finds the recognition power embedded in the constitutional provision stating that the President ''shall receive Ambassadors and other public Ministers.'' But, as Alexander Hamilton wrote in Federalist 69, that provision was understood to be a matter of ''dignity,'' not ''authority'' that would have ''no consequence for the administration of government.'' In other words, that provision does not imbue the President with a power; it imposes an obligation on him, and a ceremonial one at that.

The provision furthermore appears in the section of the Constitution that imposes an array of obligations on the President, not the section investing him with any powers. Ironically, it appears right before the provision that obligates the President to ''take care that the Laws be faithfully executed.'' I would assume the Framers believed that ''the Laws'' would include ones regarding passports.

I want to be very clear on this. The recognition power the Court identified is not enumerated in the text of the Constitution, and no one at the time of the founding believed it to be included. At the same time, the Constitution explicitly entrusts Congress with grave international responsibilities, including the power to declare war and raise and support armies. These powers place the legislative branch in a central role in the conduct of our Nation's foreign policy. The Supreme Court therefore stood on remarkably shaky ground when it announced a supposedly exclusive Presidential power—one that can nullify contrary congressional enactments. And it unwisely and indeterminately expanded the President's unchecked discretion in the conduct of foreign affairs. That is a potentially dangerous opening, particularly with the current President. President Obama has shown an unhealthy penchant for granting unilateral concessions to longtime enemies abroad. That tendency cannot and must not go unchecked.

Beyond the constitutional infirmities of the Court's opinion, I want to comment on the broader issue in the background of the Zivotofsky case.

The executive branch based its refusal to comply with the passport law on the fear that identifying a person born in Jerusalem as having been born in Israel would upend the peace process. The State Department declared that compliance with the law ''would critically compromise'' U.S. efforts to forge an agreement between Israel and the Palestinians, ''significantly harm'' our foreign policy, and ''cause irreversible damage'' to the role of the United States as an honest broker.

That is embarrassing hyperbole, and it is also complete nonsense. The role of an honest broker in negotiations is just that—to be honest. So let's be honest. Israel's seat of government is located in Jerusalem. Israel administers the entire city. Over 500,000 Israelis live and work in Jerusalem. The reality is that Jerusalem is the capital of Israel, and any final agreement—whether or not it includes some sort of sharing arrangement—will not change that. The United States and the world should not deny that reality; they should accept it and then begin the hard work of helping the parties forge a lasting peace.

The role of an honest broker is to ground negotiations in truth. It is to quell unreasonable reactions and expectations. It is to strip away issues that are peripheral and focus on those that are essential.

That the President believes the designation of Jerusalem as a part of Israel on a passport can throw the entire prospect of peace into a tailspin says much about his confidence in his abilities as a mediator, and it perhaps also says much about the current political climate in the Middle East, where deepened divisions would render renewed talks at this point unproductive.

Ultimately, a resolution of the Israel-Palestinian dispute should be reached, but progress toward that resolution will not move forward if the Palestinians remain unreasonably sensitive to peripheral issues such as passports. It will not move forward if the President is afraid to speak the truth. It will not move forward if the United States Congress is restrained from adding a dose of reality to the conduct of our foreign affairs.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

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

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

TRANSPORTATION REAUTHORIZATION BILL

Mr. CARDIN. Madam President, we have 2 more weeks remaining before the scheduled district work period with regard to the Fourth of July. Then, when we come back from there, in the next work period there will be another deadline. The deadline I am referring to is the enactment of a 6-year transportation reauthorization bill.

We have been talking about finding a 6-year reauthorization solution now for over a year—well over a year. We have been working with short-term extensions. We had a 10-month extension that expired just recently. We did another 2-month extension with a commitment that our committees would work to come together, that Democrats and Republicans would work to come together for a 6-year reauthorization of the transportation programs for this country.

My constituents are frustrated. I am frustrated. You see, I commute between Baltimore and Washington every day. This community or this area has the second worst traffic congestion in the country. We desperately need a more robust Federal partner in dealing with the transportation challenges of my State and of every State in this country. We need to move forward with transit projects. Every person we can get to use mass transit is one less car on the road.

It helps all of us. It helps our transportation infrastructure and the wear and tear. It helps our environment. We have bridges that literally must be replaced. In the southern part of my State, the Nice Bridge desperately

needs to be replaced. That costs money. You need a Federal partner to do that. We have road maintenance and expansion issues in every State in this country.

We have safety concerns that are not being addressed today. I would like to take my colleagues to some of the overpasses in Baltimore that need to be upgraded for the purposes of safety. Route 1 through College Park desperately needs attention. In my State, there is Georgia Avenue and Randolph Road in Montgomery County and 301, a major artery on the Eastern Shore of Maryland, which need real serious safety upgrades that are important.

Each one of these is extremely expensive. I know that every Senator could list dozens of projects in their own State that need to move forward for safety reasons. Then there is the issue of jobs. We all know that without the predictability of a 6-year program, transportation construction is delayed. That costs us not only construction jobs—and there are literally millions of construction jobs that depend upon the Federal partnership in transportation—but the economic impact of a reauthorization of the surface transportation program. So many projects in Maryland are affected by this.

But let me talk about one part of Maryland that does not always get the same attention, and that is the western part of our State. It is not where the real population of Maryland is located. But the completion of the Appalachia Highway, the north-south highway, is critically important to the economic future of western Maryland—and I might tell you also Pennsylvania and West Virginia. We need to get that done.

Quite frankly, without a long-term reauthorization of the surface transportation program, I do not know if we will get that done. That means jobs. That means our economy. We know that we have to be more competitive as a country. We know we are involved in global competition. The countries that we compete with are putting much more of their economy into transportation than we are into infrastructure. We must do a better job.

Well, the Federal partnership in constructing the roads, the bridges, and the transit systems is called MAP–21. It expires at the end of July—again. This is not the first time. We have not reauthorized the 6-year program for a long time. We need a 6-year program. Why? Because when you enter into a transportation project, it is more than just a 2-month commitment or a 10-month commitment. Our States cannot go into these multiyear projects unless they know they have a Federal partner. The only way they know they have a Federal partner is if we give them the certainty of a 6-year reauthorization bill.

So it is critically important. So what should we do? Starting now, the committees of jurisdiction need to have hearings and working sessions and report out legislation. That should be done now. There needs to be a commitment as to what schedule will be followed so we do not miss this deadline. That was the commitment that the leadership gave us—that we will get this done in this 2-month period.

Well, unless our committees are working to come together with legislation—in the Environment and Public Works Committee, which both the Presiding Officer and I serve on, we need to bring out a bill. We have done it before. The Senate Finance Committee, which I serve on, is responsible for the financial aspects on how we get together on that.

I am going to come back to that in one moment. Of course the banking committee is responsible for the transit section, as are other committees involved. But let me make an observation; that is, yes, we have to come out with a 6-year reauthorization. That is critical. We do not want any more short-term extensions. Secondly, it has to be a robust program.

We know that if we just reauthorize at the current level, it will be inadequate. We know that. We know that, each of us in talking to our State transportation agencies. They tell you they need a more robust Federal partnership and that the challenges today are more expensive. And we have delayed for so long that it is even more expensive. So we need to come to grips with a 6-year reauthorization but at a level that will allow for a stronger Federal partnership.

The President's number is $478 billion over 6 years. I think that is a reasonable level. If we just have a level-funded adjusted-for-inflation program, it would be $331 billion. I would hope that we would recognize that the additional $147 billion the President is talking about over 6 years is a modest increase but an important increase to the Federal share to deal with our urgent needs of safety, economic development, jobs, and competitiveness.

Now, here is the problem. As to the current revenues in the transportation trust fund, if we just use the $331 billion, which is basically a freeze adjusted for inflation for the next 6 years, there is a $97 billion gap. We do not have enough money projected in the transportation trust fund for a basically stand-still 6-year reauthorization. We are $97 billion short.

So we need to come to grips as to how we are going to fill that void. I said I serve on the Senate Finance Committee. There are lots of revenues that go into the trust fund that we should look at adjusting. There are other ideas about how we can bring in transportation revenues. I hope we look at all of that. Then there has been the recommendation that has been done by both Democrats and Republicans. We have to find a way to bridge the gap here. It does not do any good if we just have one party that agrees on how to deal with this. We all have to deal with it.

It is incumbent upon the Republican leadership to get engaged in that debate—and the Democratic leadership. We have already said that we are open to the current revenues that go into the transportation trust fund. But there is one area that seems to be in agreement between Democrats and Republicans, and that is looking at international reform. We have all talked about the fact that we have a lot of earnings from our corporations—American corporations—that are trapped overseas because the companies have made a decision not to repatriate the money back into the United States because it would be subject to a higher U.S. corporate tax rate.

They do not want to pay that higher tax. That is a business decision made by U.S. businesses. Now, obviously, the way to solve that is to reform our business taxes here. Senator THUNE and I are cochairing a working group of the Senate Finance Committee to try to come to grips with that. It is going to be difficult for us to do that. You heard the numbers I have already given you.

But every 1-percent reduction in the corporate tax rate costs about $100 billion over 10 years. If you include relief for those who pay the personal tax rates for their business income, it is probably closer to $150 or $160 billion to get a 1-percent reduction in the corporate tax rate. So that is going to be challenging.

In the meantime, there have been recommendations in order to unleash those funds: Why don't we find a charge that is less than the full corporate tax for those revenues that are returned to the United States? We have Democrats and Republicans working together on a bill, including the President, who has submitted that in his budget. He has submitted a toll charge for the revenues that are trapped overseas that corporations would have to pay.

That toll charge would be at a 14-percent rate. Then he has projected a minimum tax on foreign earnings at 19 percent that would have to be paid with certain reforms on trying to move the United States more to a territorial corporate tax rate. I mention that because I think there is interest by both Democrats and Republicans to take a look at reforming the way we tax foreign income for American companies so that we can have greater economic activity here in the United States. These proposals generate a significant amount of revenue, both one-time-only and permanent revenue.

I mention that because we could take a look at the international tax reform proposals. Democrats and Republicans have both submitted proposals on this. That could help us get to a robust 6-year reauthorization of the surface transportation bill. We could get that. My reason for mentioning it right now is this: Let's talk about it. Let's have the Republicans come to the table and talk about it also. Let's not just wait these next 2 weeks, go into the work

period, come back, and be faced with another deadline with no game plan on how we are going to resolve it and say: We have to pass another short-term extension so we can get together and talk about it.

Let's start talking about this now. I tell you that there are viable options. The one thing I found is that Democrats and Republicans agree that infrastructure is important and we have to have a stronger program in this country for infrastructure. I always enjoy hearing from Senator INHOFE, the chairman of the Environment and Public Works Committee, a person with whom I came to the Congress. He says frequently that he may be a conservative but when it comes to infrastructure spending, it is important that we have a robust Federal program.

Under his leadership and under Senator BOXER's leadership, we have been able to bring out bills from the Environment and Public Works Committee to reauthorize a 6-year program. The challenge is this: Can we find the revenue? Of course, there we need to work together as Democrats and Republicans. So I come to the floor to urge my colleagues: Let's work together. That is what the American people expect us to do. They expect us to work together to solve the problem.

I don't think there is a Member of the Senate who would disagree that we should have a robust reauthorization of a 6-year transportation program for this country, that our States need it, that our country needs it, and that we need it for our economy. Let's put aside our own individual differences. Let's sit down and work out a bill. Let's start working it out now. Let's not wait until the next deadline.

I urge my colleagues to do this. That is what the American people want us to do. That is what we need to do to move this country forward.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

NUCLEAR AGREEMENT WITH IRAN

Mr. MENENDEZ. Madam President, I know we are on the national defense bill and, of course, national defense is ultimately about national security, and one of the concerns I have about national security and our national interests is the challenge of a nuclear-armed Iran.

I came to the floor last week to say that when it comes to dealing with Iran—as we count down to the deadline for an agreement—the truth is always elusive. I said then that international inspectors reported that Tehran's stockpile of nuclear fuel, rather than decreasing, actually increased by 20 percent.

Now, in the last days before the agreement deadline is reached, David Albright, a well-respected expert on Iran's nuclear program, in an article for the Institute for Science and International Security, says that the State Department's explanation of Iran's newly produced 3.5 percent enriched uranium falls short and that the State Department seemed to be making excuses for the fact that Iran has not reduced its enrichment level, which they agreed to do in the Joint Plan of Action. The fact is uranium enrichment, when taken to the maximum, can lead to bomb material. So reducing the enrichment level is critical, in terms of possible breakout time in Iran's ability to develop a nuclear weapon.

Albright says:

> The core of the State Department's explanation in the last few days appears to be that Iran meets the conditions of the Joint Plan of Action once it feeds newly produced low enriched uranium hexafluoride gas into the uranium conversion plan at Esfahan. . . .

Now, to bring this down into lay terms, this conversion plant is there to take this enriched uranium—that if further enriched, can lead to bomb material—to transform the enriched uranium that can be prepared for potential nuclear material to an oxide form, and that is a form in which the bomb threat is dramatically reduced.

But the Esfahan plant didn't even become operational until the fall of 2014, a year after it was supposed to have opened, and—conveniently for the Iranians—it is having operational difficulties, making it highly unlikely Iran can convert the low-enriched uranium hexafluoride, which we are concerned about, into enriched uranium dioxide used for making nuclear power reactor fuel.

Put simply, at the end of the day, once again Iran will not have lived up to what they agreed to.

Now, we knew from the beginning it was going to be a challenge. We knew it was going to be difficult for the Iranians to blend down their nuclear fuel, rather than to ship it out to another country, which so far they have refused to do. We knew it would be a concern if they weren't able to convert low-enriched uranium hexafluoride into the enriched uranium dioxide—the one in which, obviously, we have far less concerns. And, frankly, because that is obviously a problem, I am concerned, because as the Albright article states, ''The amounts of LEU amount to about 4,000 kilograms of 3.5 LEU hexafluoride, enough to potentially make 2 to 3 nuclear weapons if further enriched to weapons-grade uranium.''

Two to three nuclear weapons if further enriched to nuclear-grade uranium. Now, I am concerned this is more blue smoke and mirrors that overlooked the real ambitions of an untrustworthy negotiating partner. I am concerned Iran is still saying it will not ship out excess low-enriched uranium but somehow blend it down and store it at the plant, which can't possibly blend down enough at this point to meet the requirements under the Joint Plan of Action.

I am concerned this is more of an issue than the administration is willing to concede, particularly if, at the end, there is no deal and we, through sanctions relief, paid them to convert and then they walk away with massive amounts of low-enriched uranium that can be fed into their centrifuges and be easily converted to highly enriched uranium and on to weapons-grade uranium.

According to David Albright:

> Based on the IAEA's report—

That is the International Atomic Energy Administration's report to member states—

> the problems in making enriched uranium oxide were apparent by the fall of 2014 . . . but the Administration decided not to make a major issue about the lack of oxide production.

The article goes on to say:

> Concluding that Iran has met the Joint Plan of Action condition to convert to oxide newly-enriched up to 5 percent is incorrect.

And it further says:

> In this case, the potential violation refers to Iran not producing the enriched oxide at the end of the initial six month period of the Joint Plan of Action and again after its first extension.

This is a continuing quote:

> The choosing of a weaker condition which must be met cannot be a good precedent for interpreting more important provisions in a final deal. Moreover, it tends to confirm the view of critics that future violations of a long-term deal will be downplayed for the sake of generating or maintaining support for the deal.

It says:

> The administration relied on a technical remedy that Iran had not demonstrated it could carry out.

The article concludes:

> The State Department has some explaining to do.

Now, the enrichment issue is one thing, but then there is the recently released U.N. Security Council report on a whole host of the existing Security Council resolutions and mandates as it relates to Iran, and there are other problems as well. They are well documented in this just recently released report; that Iran has continued to deny the legitimacy of Security Council resolutions not addressed in the Joint Plan of Action; that Iran's arms transfers have actively continued, raising concerns in particular in the region; that cases of noncompliance with the travel ban have also been observed; that Iran has continued certain nuclear activities, including enrichment and work at Arak; and that there is no progress by Iran in addressing possible military dimensions that had been agreed to be addressed by Iran and the International Atomic Energy Agency. The most troubling relates to allegations of large-scale high- explosives experimentation at Parchin.

The report goes on to talk about Iran's missile technology. Here we have a sense from the U.N. Security Council's report where it speaks to Iran's missile capability. And I am using a

map here that I give credit to the New York Times for to demonstrate what that means. Iran has two kinds of ballistic missiles capable of delivering a nuclear weapon, according to the report—the Ghadr missile, which is a variation of the liquid-fuel Shahab–3, with a range of about 1,600 kilometers, or 995 miles, and the other is the Sejil missile, with a range of about 2,000 kilometers, or about 1,250 miles. The first missile encompasses most of the gulf and certainly our ally, the State of Israel, as well as Afghanistan and Pakistan, not to mention Turkey, among others, and then the longer range missile actually goes as far as into Europe. And this is missile technology that is still in development. As the U.N. Security Council report points out, we can see the range of Iran's missiles and the potential military dimensions of its pursuits.

Then there is the issue of arms embargo violations and the transfer of conventional arms. For whatever reasons—and the report speculates that maybe member states, meaning member countries of the United Nations, don't want to upset the apple cart of the negotiations—there have been no reports—even in the midst of very clear violations taking place, and those have been largely reported—from member states of the U.N. about the transfer of conventional arms by Iran. But the U.N. report nevertheless says that ''the panel notes media reports pointing to continued military support and alleged arms transfers to Syria, Lebanon, Iraq and Yemen, and to Hezbollah and Hamas.''

The report also says that a shipment of arms was confirmed by Massoud Barzani, president of Kurdistan's regional government, who said: ''We asked for weapons and Iran was the first country to provide [them].'' This is a clear violation if ever there were one.

According to the report, some member states informed the panel that Iran's nuclear procurement trends and circumvention techniques remain basically unchanged. In fact, Great Britain informed the U.N. panel that they are aware of an active Iranian nuclear procurement network associated with Iran's centrifuge technology company known as TESA and Kalay Electric Company, which are listed sanction entities under the U.N. Security Council resolutions.

The report further says that member states have reported on the methods Iran has used and continues to use to carry out financial transactions below the radar to conceal any connection to Iran. Some states that import oil, for example, have authorized their banks to receive payments into accounts belonging to the Central Bank of Iran. The funds were reportedly paid out against invoices for exports of goods to Iran although the goods were never exported, meaning money was taken out and ultimately made its way to Iran even though they were not for payment of anything because nothing was shipped.

The simple fact is—and there are many other examples in the U.N. Security Council report, to which I commend my colleagues' attention—we can't trust Iran to abide by its agreements or to abide by U.N. resolutions even when they are in the midst of negotiations, when you would think they would be behaving the best. One would think they would want to put their best foot forward. Why would we think we can trust them if they are violating U.N. Security Council resolutions? That is the world—not the United States, not even the P5+1, but the world—telling them they can't do these things or they violate an international order. So why would we think we could trust them not to enrich uranium, not to pursue a weapons program, and not to find any way possible to renege on any agreement they reach when they are violating existing Security Council resolutions?

As I have said, I will come to the floor to reiterate my skepticism that Iran will not do all it can to pursue their agenda. I believe, rather, they will try to find a way to pursue their agenda, to play fast and loose with the truth, to hide the truth, to cover it up, and to buy time. Iran needs to be held responsible for its commitments—forget about its work; its commitments. There can be no slippage, no delays, no obfuscation. That is how they succeeded in the past in bringing themselves to be on the verge of becoming a threshold nuclear state.

So where do we go from here? It remains to be seen whether compliance with that which has already been agreed to by the Iranians—even at this early stage while the world is watching—can be realized or will it be explained away.

I intend to come to the floor again and again to hold Iran accountable for its actions and to keep a laser-like focus on the mullahs in Tehran. I fear that when that spotlight is off, when the press is gone, when the agreement is out of the headlines and the curtain closes on the P5+1 talks, Iran will pull back into the shadows. When that happens and if it goes wrong, what will we do then?

We haven't seen the final agreement, so we will have to wait to make a final judgment on it. But if the final agreement follows in the line of the framework agreement, then we will have a set of circumstances where we will not be solving the problem. I think some of the experts who were before the Senate Foreign Relations Committee yesterday in a briefing admitted to the fact—and one or two of them are proponents of an agreement—they said this does not solve the problem but only kicks the problem down the road.

Those are hard choices no matter what, but I would rather confront a country that is on the path to nuclear weapons before it gets it and when it is at its weakest point, not when it becomes a country at its stronger point, with far more resources, with sanctions that have largely dissipated. And even with snapback provisions—which I think we should have, but several years down the road when the world has now engaged Iran in doing business and Iran has risen in its economy—its economy has already stopped its free-fall just on the basis of expectations—and it decides possibly to break out 3 or 4 years down the road, putting all of those international sanctions back together, as someone who was the author of those sanctions here in the Congress, I can tell you that is going to take a lot more work. There is no instantaneous snapback: Oh, we will put the sanctions back and they will have effect immediately. You have to tell the world, you have to give them notice that, in fact, there are sanctions back in effect. You have to tell companies now doing business and give them time to disinvest from those businesses. By the time you add that, if experience is a good barometer, we gave at a minimum 6 months' lead time to tell the world this is going to be a sanctionable activity, and by the time we actually pursued enforcement and implementation of those, it was far beyond—close to a year. Well, that happens to be the time we are actually vying for breakout time.

So I am going to continue to come to the floor to continue to shine a spotlight on the challenges we have with Iran and on the shortcomings of the interim agreement as we hope for a good final agreement. But I will use the refrain that the administration at one time used, which is that no agreement is better than a bad agreement, and that is what my concern is—that we are headed toward a bad agreement.

With that, I yield the floor.

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

EARMARKS

Mr. FLAKE. Mr. President, I rise today to talk about a problem that, despite a congressional ban on the practice, continues to plague our budget. That problem is earmarks.

Back in 1986—just a little history lesson here—as Congress engaged in a last-minute scramble to fund the government, a Republican Congressman from Pennsylvania slipped an earmark into a massive spending bill. He turned a small exhibit of steam-powered trains, known as Steamtown USA, into a national park. Three decades, nearly $100 million, and one congressional earmark ban later, that project continues to cost taxpayers millions of dollars annually. The bridge to nowhere, the North Carolina teapot museum, the indoor rainforest in Iowa, and, yes, Steamtown USA, are among the many egregious earmarks that led fed-up taxpayers to press for a ban on this kind of spending.

Like triceratops and velociraptors, earmarks that were declared extinct, fossilized relics of a bygone era, are somehow making a reappearance. What taxpayers and many in Congress didn't

realize is that despite the successful ban on earmarks, we are still paying millions of dollars for the old ones. Through unexpended funds, carve-outs in the Tax Code, and grant awards, spending on past earmark projects and their recipients still roam the Federal budget landscape.

Today, I am releasing a report—''Jurassic Pork''—which will highlight the fossilized pork projects that are still embedded or buried deep in the Federal budget. It should serve as a reminder of the past scandals that brought about the extinction of earmarks and serve as a warning that the cost of earmarking often outlives the practice itself.

''Jurassic Pork'' digs into just two dozen of the many earmarked projects and recipients of congressional bounty that continue to cost taxpayers millions of dollars.

Take for example the aptly named VelociRFTA, a bus rapid transit system in Colorado that covers the 40 miles between Aspen and Glenwood that began as an $810,000 earmark. Since the earmark ban took place in 2010, thanks to continued Federal funding, this project—this vestige—has cost taxpayers $36 million.

Also highlighted in the report is the American Ballet Theater, which supplemented a flow of Federal grant money with more than $800,000 in earmarked funds from a Member of Congress who also happened to perform in one of the group's recent productions.

Then there are the 6,000 unspent highway earmarks representing $5.9 billion that sit idle in the Department of Transportation account. These include pork projects such as the $600,000 Upper Delaware Scenic Byway Visitor Center in Cochecton, NY. Unfortunately for taxpayers, the visitor center ended up being built in Narrowsburg. Because the location was specified as Cochecton, the money will likely continue to sit on the Federal Government's ledger.

Now, within these unspent transportation earmarks, there is a smaller group that is often referred to as ''orphan'' earmarks. These are earmarks that have had less than 10 percent of their expended—or their anticipated funds spent over 10 years. According to the Congressional Research Service, 70 earmarks worth more than $120 million remain on the books, and in August 2015, more than 1,200 earmarks from the last major highway bill that was passed in 2005 will officially become orphan earmarks. These represent $2 billion in yet-to-be-spent funds.

With the near bankrupt highway trust fund, Congress needs to find a way to permanently park these unspent funds. To that end, I have also introduced a Jurassic Pork Act, which will rescind funding for orphan earmarks and will return this money to the highway trust fund. We all know the highway trust fund could use it about now.

Now, like John Hammond, the billionaire CEO of the failed theme park in the first ''Jurassic Park'' film, not everyone in Congress is content to leave these as relics of the past. Not a year after the earmark ban was implemented in the Senate, the then-majority leader proclaimed: ''I've done earmarks all my career, and I'm happy I've done earmarks all my career.''

Others from both sides of the aisle have argued that a return to earmarking would help to lard up or incentivize votes. But taxpayers don't exist for political horse trading or as a reward for powerful Members to dole out as tributes. Taxpayers need to remain vigilant against all this kind of parochial spending, and we cannot return to pork as we knew it.

The moratorium on earmarks in 2010 didn't put an end to these kind of shenanigans. But as readers of ''Jurassic Pork'' will see, the spending on their legacy continues. Taxpayers have already seen the end of this movie. We don't need to be treated to a sequel.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 1473, AS MODIFIED

Mr. LEE. I ask for regular order with respect to Vitter amendment No. 1473.

AMENDMENT NO. 1687 TO AMENDMENT NO. 1473, AS MODIFIED

Mr. LEE. I send a second-degree amendment, Lee amendment No. 1687, to the desk as a second-degree amendment to Vitter amendment No. 1473 and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Utah [Mr. LEE] proposes an amendment numbered 1687 to amendment No. 1473, as modified.

Mr. LEE. 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 provide for the protecton and recovery of the greater sage-grouse, the conservation of lesser prairie-chicken, and the removal of endangered species status for the American burying beetle)

At the appropriate place, insert the following:

SEC. _____. PROTECTION AND RECOVERY OF GREATER SAGE GROUSE.

(a) DEFINITIONS.—In this section:

(1) The term ''Federal resource management plan'' means—

(A) a land use plan prepared by the Bureau of Land Management for public lands pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712); or

(B) a land and resource management plan prepared by the Forest Service for National Forest System lands pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

(2) The term ''Greater Sage Grouse'' means a sage grouse of the species *Centrocercus urophasianus*.

(3) The term ''State management plan'' means a State-approved plan for the protection and recovery of the Greater Sage Grouse.

(b) PURPOSE.—The purpose of this section is—

(1) to facilitate implementation of State management plans over a period of multiple, consecutive sage grouse life cycles; and

(2) to demonstrate the efficacy of the State management plans for the protection and recovery of the Greater Sage Grouse.

(c) ENDANGERED SPECIES ACT OF 1973 FINDINGS.—

(1) DELAY REQUIRED.—Any finding by the Secretary of the Interior under clause (i), (ii), or (iii) of section 4(b)(3)(B) of the Endangered Species Act of 1973 (16 U.S.C. 1533(b)(3)(B)) with respect to the Greater Sage Grouse made during the period beginning on September 30, 2015, and ending on the date of the enactment of this Act shall have no force or effect in law or in equity, and the Secretary of the Interior may not make any such finding during the period beginning on the date of the enactment of this Act and ending on September 30, 2025.

(2) EFFECT ON OTHER LAWS.—The delay imposed by paragraph (1) is, and shall remain, effective without regard to any other statute, regulation, court order, legal settlement, or any other provision of law or in equity.

(3) EFFECT ON CONSERVATION STATUS.—Until the date specified in paragraph (1), the conservation status of the Greater Sage Grouse shall remain warranted for listing under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), but precluded by higher-priority listing actions pursuant to clause (iii) of section 4(b)(3)(B) of the Endangered Species Act of 1973 (16 U.S.C. 1533(b)(3)(B)).

(d) COORDINATION OF FEDERAL LAND MANAGEMENT AND STATE CONSERVATION AND MANAGEMENT PLANS.—

(1) PROHIBITION ON MODIFICATION OF FEDERAL RESOURCE MANAGEMENT PLANS.—In order to foster coordination between a State management plan and Federal resource management plans that affect the Greater Sage Grouse, upon notification by the Governor of a State with a State management plan, the Secretary of the Interior and the Secretary of Agriculture may not amend or otherwise modify any Federal resource management plan applicable to Federal lands in the State in a manner inconsistent with the State management plan for a period, to be specified by the Governor in the notification, of at least five years beginning on the date of the notification.

(2) RETROACTIVE EFFECT.—In the case of any State that provides notification under paragraph (1), if any amendment or modification of a Federal resource management plan applicable to Federal lands in the State was issued during the one-year period preceding the date of the notification and the amendment or modification altered management of the Greater Sage Grouse or its habitat, implementation and operation of the amendment or modification shall be stayed to the extent that the amendment or modification is inconsistent with the State management plan. The Federal resource management plan, as in effect immediately before the amendment or modification, shall apply instead with respect to management of the Greater Sage Grouse and its habitat, to the extent consistent with the State management plan.

(3) DETERMINATION OF INCONSISTENCY.—Any disagreement regarding whether an amendment or other modification of a Federal resource management plan is inconsistent with a State management plan shall be resolved by the Governor of the affected State.

(e) RELATION TO NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.—With regard to any Federal action consistent with a State management plan, any findings, analyses, or conclusions regarding the Greater Sage Grouse or its habitat under the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.) shall not have a preclusive effect on the approval or implementation of the Federal action in that State.

(f) REPORTING REQUIREMENT.—Not later than one year after the date of the enactment of this Act and annually thereafter through 2021, the Secretary of the Interior and the Secretary of Agriculture shall jointly submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report on the Secretaries' implementation and effectiveness of systems to monitor the status of Greater Sage Grouse on Federal lands under their jurisdiction.

(g) JUDICIAL REVIEW.—Notwithstanding any other provision of statute or regulation, this section, including determinations made under subsection (d)(3), shall not be subject to judicial review.

SEC. _____. IMPLEMENTATION OF LESSER PRAIRIE-CHICKEN RANGE-WIDE CONSERVATION PLAN AND OTHER CONSERVATION MEASURES.

(a) DEFINITIONS.—In this section:

(1) CANDIDATE CONSERVATION AGREEMENTS.—The terms ''Candidate Conservation Agreement'' and ''Candidate and Conservation Agreement With Assurances'' have the meaning given those terms in—

(A) the announcement of the Department of the Interior and the Department of Commerce entitled ''Announcement of Final Policy for Candidate Conservation Agreements with Assurances'' (64 Fed. Reg. 32726 (June 17, 1999)); and

(B) sections 17.22(d) and 17.32(d) of title 50, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(2) RANGE-WIDE PLAN.—The term ''Range-Wide Plan'' means the Lesser Prairie-Chicken Range-Wide Conservation Plan of the Western Association of Fish and Wildlife Agencies, as endorsed by the United States Fish and Wildlife Service on October 23, 2013, and published for comment on January 29, 2014 (79 Fed. Reg. 4652).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(b) PROHIBITION ON TREATMENT AS THREATENED OR ENDANGERED SPECIES.—

(1) IN GENERAL.—Notwithstanding any prior action by the Secretary, the lesser prairie-chicken shall not be treated as a threatened species or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) before January 31, 2021.

(2) PROHIBITION ON PROPOSAL.—Effective beginning on January 31, 2021, the lesser prairie-chicken may not be treated as a threatened species or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) unless the Secretary publishes a determination, based on the totality of the scientific evidence, that conservation (as that term is used in that Act) under the Range-Wide Plan and the agreements, programs, and efforts referred to in subsection (c) have not achieved the conservation goals established by the Range-Wide Plan.

(c) MONITORING OF PROGRESS OF CONSERVATION PROGRAMS.—The Secretary shall monitor and annually submit to Congress a report on progress in conservation of the lesser prairie-chicken under the Range-Wide Plan and all related—

(1) Candidate Conservation Agreements and Candidate and Conservation Agreements With Assurances;

(2) other Federal conservation programs administered by the United States Fish and Wildlife Service, the Bureau of Land Management, and the Department of Agriculture;

(3) State conservation programs; and

(4) private conservation efforts.

SEC. _____. REMOVAL OF ENDANGERED SPECIES STATUS FOR AMERICAN BURYING BEETLE.

Notwithstanding the final rule of the United States Fish and Wildlife Service entitled ''Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for the American Burying Beetle'' (54 Fed. Reg. 29652 (July 13, 1989)), the American burying beetle shall not be listed as a threatened or endangered species under the Endangered Species Act (16 U.S.C. 1531 et seq.).

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

Mr. MCCAIN. I object.

The PRESIDING OFFICER. Objection is heard.

The clerk will continue to call the roll.

The senior assistant legislative clerk continued with the call of the roll.

Mr. INHOFE. 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. INHOFE. Mr. President, I am fully aware that we are not going to be able to get past a unanimous consent request, but I wanted to make sure the Chair knew and others know that we have an amendment that I will do the best I can to bring out.

It is an amendment that already has 21 cosponsors. There is a provision in the Senate bill that was put in by the Senate that is not in the House bill that has to do with commissaries. It is viewed upon as privatizing commissaries. It is not really that. It is an attempt to evaluate the idea of the commissaries being privatized by using five commissaries as test cells to see what kind of result we would get if we did privatize them.

What we are doing with my amendment is taking it back—taking that language out—in order to go ahead with an assessment before we do that. It wouldn't make sense to me that if we wanted to get this done, even if we felt very passionately about privatizing, that we would do it before we had an assessment. So the assessment would be first.

We had a lot of discussion about this in the Senate Armed Services Committee. As I said, we now have 21 cosponsors who would like to reverse this so we can do the assessment and then make the determination.

It is kind of interesting, even though most people say privatizing is not going to actually save or make any money, the amendment simply requires the assessment on privatizing before we make any significant changes to our servicemembers' privatized commissary benefits. This is something that is very popular among members of our service, wives, and husbands, when surveyed last year. Approximately, 95 percent of the servicemembers were using the commissaries to purchase household goods to achieve needed savings in their family budgets with a 91-percent satisfaction rate. We don't get 91 percent satisfaction rates around here very often. The language in this bill as it is now ignores the recommendations made by the Military Compensation and Retirement Modernization Commission that we are all very familiar with. In the report released in January, it specifically stated, in recommendation No. 8, ''to protect access and savings to DOD commissaries and exchanges.'' Well, that is exactly what we want to do.

I have a very impressive list, which I will not read, of 41 organizations and associations, including labor unions, the Gold Star Widows, American Veterans, and others, and I ask unanimous consent that this list be printed in the RECORD.

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

ORGANIZATIONS SUPPORTING INHOFE/MIKULSKI AMENDMENT

1. National Military and Veterans Alliance
2. American Federation of Labor and Congress of Industrial Organizations Teamsters
3. The Coalition to Save Our Military Shopping Benefits
4. National Guard Association of the United States
5. Military Officers Association of America
6. American Federation of Government Employees
7. Veterans of Foreign Wars
8. Armed Forces Marketing Council
9. American Logistics Association
10. American Military Retirees Association
11. American Military Society
12. American Retirees Association
13. Army and Navy Union
14. Gold Star Widows
15. International Brotherhood of Teamsters
16. Military Order of Foreign Wars
17. Military Order of the Purple Heart
18. National Association for Uniformed Services
19. National Defense Committee
20. Society of Military Widows
21. The Flag and General Officers Network
22. Tragedy Assistance Program for Survivors
23. Uniformed Services Disabled Retirees
24. Vietnam Veterans of America
25. Fleet Reserve Association
26. National Military Family Association
27. Military Officers Association of America
28. The Retired Enlisted Association
29. Association of the United States Army
30. American Veterans
31. United States Army Warrant Officers Association
32. Jewish War Veterans of the United States of America
33. Association of the United States Navy

34. Air Force Sergeants Association
35. Military Partners and Families Coalition
36. National Association for Uniformed Services
37. American Military Retirees Association
38. The American Military Partner Association
39. American Logistics Association
40. Reserve Officer Association
41. Air Force Association

Mr. INHOFE. I also have a synopsis of letters of support that is from six different organizations, including the Military Officers Association of America; the Armed Forces Marketing Council; the International Brotherhood of Teamsters; the American Federation of Government Employees, AFL–CIO; the American Military Retirees Association; and saveourbenefit.org.

Mr. President, I ask unanimous consent that the synopsis of these six letters representing these organizations be printed in the RECORD.

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

MILITARY OFFICERS ASSOCIATION OF AMERICA: ''This amendment requires a study in lieu of the Senate Armed Service Committee (SASC) language that mandate a privatization pilot in at least five commissaries chosen from the commissary agency's largest U.S. markets. MOAA commends this approach. To conduct a privatization pilot without proper assessment could result in unintended consequences, putting this highly valued benefit at risk The commissary is a vital part of military compensation providing a significant benefit to military families. The average family of four who shops exclusively at the commissary sees a savings of up to 30 percent.''

ARMED FORCES MARKETING COUNCIL: ''What is at stake for military families: Loss of up to 30% savings on a market basket of products for military families. That equates to over $4000 per year for a family of four. Loss of jobs for military family members. Over 60 percent of DeCA employees are military related and their jobs are transferable, allowing them to retain their positions and seniority when the military provides permanent change of station orders. Families would be required to pay sales taxes on groceries. Loss of a cherished benefit that is enjoyed by 95% of the active force. Loss of traffic at commissaries will adversely impact sales in military exchanges by up to 40%. This will diminish the dividend that supports quality of life programs for military families.''

INTERNATIONAL BROTHERHOOD OF TEAMSTERS: ''The commissary system is a vital benefit to our nation's active military, their families, and veterans across the country. The system provides thousands of jobs for American Teamsters in the warehouse, shipping, and food distribution industries. Commissaries also provide a needed benefit for military spouses and family members, who make up nearly 30 percent of Department of Commissary employees.''

AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES (AFL–CIO): ''The Department of Defense's (DoD) commissaries and exchanges (Army and Air Force Exchange Service, AAFES) are an earned benefit treasured by military families and an important contributor to their quality of life. The modest cost of providing military families with inexpensive but essential goods and services is almost invisible in the Department's overall budget. Given that privatization of the commissaries has been repeatedly rejected by the executive and legislative branches and that this option was explicitly not recommended by a recent commission which looked comprehensively at the commissaries, it makes no sense to begin to privatize the commissaries before understanding the impact on costs and services as well as morale and recruitment. Senator Inhofe's amendment would wisely direct DoD to study the impact of privatization, and the Government Accountability Office to review the DoD's finding, before the Department is directed to privatize the commissaries.''

AMERICAN MILITARY RETIREES ASSOCIATION: ''The American Military Retirees Association believes commissary and exchanges are a vital part of military pay and compensation. Ninety percent of the military community uses these benefits and consistently rank[s] them as a top compensation benefit, yielding returns that far outweigh taxpayer support. They also provide critical jobs for military families and veterans—over 60 percent of employees are military affiliated—and provide healthy living alternatives both stateside and overseas.''

SAVEOURBENEFIT.ORG: ''The Inhofe-Mikulski amendment offers a sensible, pragmatic and thoughtful approach to examining private operation of military commissaries. Senators Inhofe and Mikulski are right. Study before deciding to implement. Nearly 40 organizations—representing tens of millions of active duty, Guard and Reserve, retirees, military families, veterans and survivors—agree. The Military Compensation and Retirement Modernization Commission (MCRMC) surveyed the private sector and found no interest among major retailers to operate on military bases. The Commission, chartered by the Senate, found that commissaries were worth preserving and recommended changes to the current structure—not privatization.''

Mr. INHOFE. Mr. President, it is my intention, as soon as we get to the point where we can get into the queue and get unanimous consent to set the current business aside—it would be my intention to do that to consider this amendment.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. MCCAIN. Mr. President, I ask unanimous consent that notwithstanding rule XXII, the cloture vote on amendment No. 1569 be moved to 3 p.m. today. I ask unanimous consent that it be in order to call up the following amendments: Ernst No. 1549, Gillibrand No. 1578, Whitehouse No. 1693, Fischer-Booker No. 1825, Collins No. 1660, Cardin No. 1468; that at 11 a.m. on Tuesday, June 16, the Senate vote in relation to the following amendments in the order listed: Fischer-Booker No. 1825; Collins No. 1660; Cardin No. 1468; Gillibrand No. 1578; Ernst No. 1549; Whitehouse No. 1693; Durbin No. 1559, as modified; and Paul No. 1543; that there be no second-degree amendments in order to any of these amendments prior to the votes, and that the Gillibrand, Ernst, Whitehouse, Durbin, and Paul amendments require a 60-affirmative-vote threshold for adoption; also, that there be 2 minutes equally divided between the votes and that all votes after the first be 10 minutes in length.

I further ask that notwithstanding rule XXII, the cloture vote on the McCain substitute amendment No. 1463 occur at 3 p.m. on Tuesday, June 16.

The PRESIDING OFFICER. Is there objection?

The Democratic leader.

Mr. REID. Mr. President, reserving the right to object, and I initially say to my impatient friend, he has to be patient and allow me to say a few words. During the short time we have been in the minority, we have behaved in a way that I think is proper for a responsible minority. For example, on this bill dealing with the authorization of our defense capacity in the United States, we have been very clear how we support the troops. But remember, we have this little difficult issue. The President of the United States has said he is going to veto this bill. So we have worked through all this with that in mind. Having said that, in spite of that, we did not ask for a cloture vote on the motion to proceed. When we were in the majority, having the minority not do that was a big day. It happened extremely rarely. We have been doing that consistently—with some exceptions but not many.

On this Defense bill, we have allowed amendments to become pending. There are a dozen or so pending right now. We have allowed the Senate to conduct votes. We have allowed managers' amendments to be cleared—lots of them. We have reacted in a responsible way. We have no regret for having done that.

The two managers were working together to get amendments pending in a mutually agreed-upon fashion when out of the blue, up comes this cyber security amendment. It was also done in a very unusual way where Senator BURR employed parliamentary devices to get the cyber security bill pending to where we are right now. We could have been playing around all week with our offering amendments, but I have always felt that it should be done extremely rarely, for the minority to do something like that. We could have done that.

If you look at the amendments that have been offered by us Democrats, they are all, with rare exception, dealing with the security of this Nation—not sage grouse, not all the other things the Republicans have brought up in this bill.

To say that the Ex-Im Bank and the cyber security amendments have impeded progress is a gross understatement. The cyber security bill is a major bill in its own way—a major bill. I can speak with some authority in this regard. Five years ago, I got every committee chair who had jurisdiction over this subject and we met over a period of days to come up with a cyber security bill. We did that. Republicans stopped us. We kept getting a smaller

group of people involved as we were narrowing the bill, and we actually were scheduled to finally have a vote on the cyber security bill. It wasn't as good as I thought we should have, but it was an important bill. And what happened on that? The chamber of commerce made a call to some of the Republican leaders in the Senate, and suddenly that bill was gone and we were voting on another ObamaCare amendment that, of course, went nowhere.

But we have tried cyber security.

The Intelligence Committee reported out this bill, and I appreciate that they did. It was on a bipartisan basis, but it also contains a lot of matter within the jurisdiction of other committees—for example, the Homeland Security Committee and the Judiciary Committee.

To her credit, the ranking member, Senator FEINSTEIN, recognized that and went to the Democrats and said: We will work with you and make sure the problems you have with this bill when it gets to the floor—we will work with you on this.

Senator FEINSTEIN is a person of her word. I know she will do that, and she will do that.

This morning, the Republican leader, who is on the floor, was saying that we just had an attack on 4 million people and that it is Obama's fault. I think that is stretching things a little bit, especially recognizing that I have only given a brief travel through the times we have tried to get up the cyber security legislation. We should take the time to do it right.

I have told the chairman of the Armed Services Committee, and I have checked with our ranking member of the Finance Committee, who is extremely interested—and hasn't been for 10 minutes or 10 days or 10 months but 10 years—in privacy. He has been our leader on privacy on this side of the aisle, and he believes we could finish it, if we had a free shot at this cyber bill, in a couple of days—and I agree with him—at the most. So we are not trying to avoid cyber. I believe—we believe it is an important part of what we need to do. But we should take time to do it right. We should not be tacking this important piece of legislation onto a bill the President has already said he is going to veto just so the Republicans can blame Obama for vetoing this bill as well.

If the majority would withdraw their cyber amendment and agree to take it up after this bill, we could do it in a couple of days and then we could return to working on the Defense bill. But we cannot take up all these new amendments my friend the chairman of the committee wants to set up votes on—we have the 9 he talks about, plus 6; that is 15—until we resolve this matter dealing with cyber security.

So without belaboring the point—and I appreciate my impatient friend being patient with me and listening to me go through all of this—I ask the majority leader or my friend the chairman of the Armed Services Committee if he would modify his consent request as follows.

Mr. President, I ask unanimous consent that the cloture motion with respect to amendment No. 1569—that is cyber security—as modified, be withdrawn; that the pending amendment No. 1569—again, that is cyber security—as modified, be withdrawn; and that upon the disposition of H.R. 1735, the Defense authorization bill, the Senate proceed to the consideration of Calendar No. 28, S. 754. That is the bill which came out of the Intelligence Committee.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, reserving the right to object, I am going to propose a modification of the consent request propounded by the Democratic leader: that following disposition of H.R. 2685, the Defense appropriations bill, the Senate turn to consideration of S. 754, the cyber security measure reported by the Senate Intelligence Committee. I further ask that there be 10 relevant amendments to be offered by each bill manager or designee, with 1 hour of debate followed by a vote on the amendments offered, with a 60-vote threshold on those amendments that are not germane to the bill.

The PRESIDING OFFICER. Is there objection to the request of the majority leader?

The minority leader.

Mr. REID. Mr. President, reserving the right to object to my friend's modification, I repeat, the cyber security bill is important and the Senate should turn to it, but putting it after the Defense appropriations bill is a false promise. It is a facade. I think it is very clear. I heard the Republican leader give a speech on the floor today that he knows, unless there are some changes made, we are not going to get on the Defense appropriations bill. So this is a false promise.

If we could do it in a more specific, determined time, that would be one thing, but the Republican leader obviously has no plan to complete the Defense appropriations bill if this is how we are proceeding; rather, they are proceeding ahead with his partisan budget plan—a plan the President said will not become law.

Until Republicans sit down to work out a bipartisan Senate budget, the Senate will not finish the Defense authorization bill. Once again, the right way to do this would be to consider the cyber security bill on its own merits after the Defense authorization bill is done. It would take 2 days.

So I ask the majority leader if he would modify his consent request to the following: that upon disposition of the Defense authorization bill, H.R. 1735, the Senate proceed to consideration of Calendar No. 28, S. 754, which is the cyber security bill.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, reserving the right to object, and I will object, I will point out that the Defense appropriations bill was reported out of the Appropriations Committee today with only three members voting against it. There was a lot of discussion about the Democratic leader saying ''We are not going to pass the bill,'' but when the votes were counted, only three members—all on the Democratic side but only three—voted against reporting the bill out of committee.

My good friend the Democratic leader and I have had this discussion back and forth, but one of the advantages of being in the majority is that we set the schedule, and we are going to do the Defense appropriations bill after we do the Defense authorization bill; therefore, I object.

The PRESIDING OFFICER. Is there objection to the request of the majority leader?

Mr. REID. Yes.

The PRESIDING OFFICER. Objection is heard.

Does the Senator from Arizona modify his request with the request of the Democratic leader?

Mr. MCCAIN. Mr. President, may I make a couple of comments real quick before the distinguished majority leader modifies his request?

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I would remind my good friend from Nevada, the Democratic leader, for the last 2 years we took up the Defense authorization bill, and it was taken up so late there was not a single amendment—not a single, solitary amendment on the Defense authorization bill for the last 2 years. So I understand the Democratic leader's commitment to amendments. It is too bad that for 2 years we never had a single amendment to the Defense authorization bill.

As far as relevant amendments are concerned, one of the things about this body is that everybody has the right to propose an amendment until their amendments are not made germane. The three pending Democratic amendments we have now on the bill are not germane.

So all I can say is that I hope we can get a modification. I hope we can move forward.

I just wish to point out one more time what I know that my colleagues have heard over and over, and I will make it brief. Henry Kissinger testified before the Senate Armed Services Committee that the world has never been in more crises. This world is at risk, and we have to—we have to protect the men and women who are serving in our security. I would argue that a national defense authorization act is probably more important now than it has been at any time in recent history.

I refuse to modify my request.

The PRESIDING OFFICER. Is there objection to the Senator's original request?

Mr. REID. Which Senator?

The PRESIDING OFFICER. The Senator from Arizona.

Mr. REID. Yes, I object.

The PRESIDING OFFICER. Objection is heard.

The majority leader.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, the cloture vote on amendment No. 1569 be moved to 3 p.m. today and that the mandatory quorum call be waived.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The minority leader.

Mr. REID. Mr. President, I will be extremely brief. We can have a debate here. We can look at all the press clippings of both sides on what happened in the last 2 years on Defense authorization. We didn't get a bill. We got a bill, but it was done in secret by the managers of the two bills in the House and the Senate. The reason that happened—it wasn't our fault. They wouldn't let us on the bill—''they'' meaning the Republicans. So we can debate that all we want. Those are the facts.

I do not object to my friend's request.

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

The majority leader.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk on the McCain substitute amendment No. 1463.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the McCain amendment No. 1463 to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Mitch McConnell, John McCain, Richard C. Shelby, Jeff Flake, John Barrasso, John Cornyn, Mike Rounds, Jeff Sessions, Shelley Moore Capito, Lamar Alexander, Lindsey Graham, Joni Ernst, John Hoeven, Roger F. Wicker, Kelly Ayotte, Richard Burr, Thom Tillis.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk with respect to the underlying House bill, H.R. 1735.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Mitch McConnell, John McCain, Richard C. Shelby, Jeff Flake, John Barrasso, John Cornyn, Mike Rounds, Jeff Sessions, Shelley Moore Capito, Lamar Alexander, Lindsey Graham, Joni Ernst, John Hoeven, Roger F. Wicker, Kelly Ayotte, Richard Burr, Thom Tillis.

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 1569, AS MODIFIED

Mr. MCCONNELL. Mr. President, in just a moment, the Senate will consider an important cyber security measure. I urge every one of my colleagues to support it.

USA TODAY recently cited a cyber security expert who noted that this Senate legislation has the potential to greatly reduce the number of victims targeted by the kinds of hackers we have seen in recent years. It contains modern tools to help deter future attacks against both the government and the private sector, to provide them with knowledge to erect stronger defenses, and to get the word out faster about attacks when they are detected.

The top Democrat on the Intelligence Committee reminded us that the cyber security measure before us would also protect individual privacy and civil liberties. She has urged Congress to ''act quickly'' to deter a threat that is literally impossible to overstate.

The White House has also urged Congress to act.

The new Congress has been asked to act, and today we are, with a good, strong, transparent, bipartisan measure which has been thoroughly vetted by both parties in committee and which has been available for months—literally months—for anyone to read. It was endorsed by nearly every Democrat and every Republican on the Intelligence Committee, 14 to 1. It is also backed by a broad coalition of supporters, everyone from the chamber of commerce to the United States Telecom Association.

It is legislation that is all about protecting our country, which is why it makes perfect sense to consider it alongside defense legislation with the very same aim. Cyber security amendments can be offered, and the debate will continue.

So let's work together to advance this measure. There are now 4 million extra reasons for Congress to act quickly. The sooner we do, the sooner we can conference it with similar legislation that passed the House and get a good cyber security law enacted to help protect our country. The opportunity to begin doing that will come in a few moments with a vote for cloture on this bipartisan cyber security bill.

The PRESIDING OFFICER (Mr. CASSIDY). The minority leader.

Mr. REID. Mr. President, we have on the Senate floor an authorization bill for about $600 billion—Defense authorization for about $600 billion. I can't imagine the procedural games, the chicanery involved in this. Why did we yesterday have on this bill something on Ex-Im Bank? Was it just to check it off so they could say we tried and Democrats wouldn't let us do it? Why would we have on this $600 billion bill dealing with the security of this Nation something else that also deals with the security of this Nation and that deserves a separate piece of legislation so we can have amendments and talk about that? We have agreed to do it in a very short period of time.

There is no good reason for doing it this way. We should limit the matter at hand to the Defense authorization bill at some $600 billion, and then we have agreed to go to cyber security. We are willing to do that. But I cannot imagine—I cannot imagine—why the Republican leader is doing this. It makes a mockery of the legislative process.

Mr. WYDEN. Will the leader yield for a question?

Mr. REID. I will be happy to yield to the ranking member of the committee for a question.

Mr. WYDEN. Leader, I strongly oppose cloture on this cyber measure and I want to ask the Senator a question.

I think we all understand how dangerous hackers are. They are increasingly sophisticated. The most dangerous hackers rarely use the same technique twice. I believe what the Senator is saying is we can't deal with this responsibly by stapling the cyber bill to something else. Is that one of the key reasons the leader is opposing this?

The PRESIDING OFFICER. All time has expired.

Mr. REID. Mr. President, respectfully, I suggest we are on leader time now. My time is protected—or used to be—and the Senator asked me a question. I yielded to him for a question. He should have the right to answer the question.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. WYDEN. I will be very brief.

I oppose cloture on the cyber measure. I think what the leader is saying is that the cyber measure is so serious we shouldn't deal with it by stapling it to something else. It is so important we ought to have an opportunity over that 2-day period to deal with it separately; is that the leader's view?

Mr. REID. Without any question.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on amendment No. 1569, as modified, to the McCain

amendment No. 1463 to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Mitch McConnell, Lamar Alexander, John Cornyn, Orrin G. Hatch, David Perdue, Bob Corker, Michael B. Enzi, Susan M. Collins, Jeff Flake, Mike Rounds, Richard Burr, David Vitter, James M. Inhofe, Daniel Coats, John McCain, Deb Fischer, Tom Cotton.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on amendment No. 1569, as modified, offered by the Senator from Arizona, Mr. MCCAIN, for the Senator from North Carolina, Mr. BURR, to the substitute amendment No. 1463, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

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

Mr. DURBIN. I announce that the Senator from Vermont (Mr. LEAHY) and the Senator from Oregon (Mr. MERKLEY) are necessarily absent.

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

The yeas and nays resulted—yeas 56, nays 40, as follows:

[Rollcall Vote No. 207 Leg.]

YEAS—56

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

NAYS—40

Baldwin	Heinrich	Reed
Blumenthal	Heitkamp	Reid
Booker	Heller	Sanders
Boxer	Hirono	Schatz
Brown	Kaine	Schumer
Cantwell	Lee	Shaheen
Cardin	Markey	Stabenow
Carper	McCaskill	Tester
Casey	Menendez	Udall
Coons	Mikulski	Warren
Durbin	Murphy	Whitehouse
Feinstein	Murray	Wyden
Franken	Paul	
Gillibrand	Peters	

NOT VOTING—4

Cruz	Merkley
Leahy	Rubio

The PRESIDING OFFICER. On this vote, the yeas are 56, the nays are 40.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

WELCOMING VISITORS FROM WHEATON COLLEGE

Mr. COATS. Mr. President, now that we concluded the vote, I would like to announce for the RECORD that I am privileged and honored to be able to host a number of people from my alma mater, Wheaton College. The board of trustees is holding a meeting here in Washington. They are visiting the Capitol and we are about to go on a tour.

I want to thank them for their service to our college and to America. They are spending a good amount of time here working through issues that are very important to the school. Wheaton College is an evangelical school that has been true to the faith in dealing with the challenges that exist today. I am pleased to be able to acknowledge that they are here visiting the Capitol, and enjoying the sites of Washington while making some tough decisions.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

(The remarks of Mr. SANDERS pertaining to the introduction of S. 1564 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER. The Senator from Michigan.

FEDERAL VEHICLE REPAIR COST SAVINGS ACT

Mr. PETERS. Mr. President, I rise to urge my colleagues to support the bipartisan legislation I introduced with my colleague Senator LANKFORD, the Federal Vehicle Repair Cost Savings Act.

I am pleased the Senate is considering the first bill I introduced as a Senator, which was approved by the Homeland Security and Governmental Affairs Committee on a unanimous vote earlier this year.

I appreciate Senator LANKFORD partnering with me to work on this legislation in committee and as it has moved to the Senate floor. I look forward to continuing to work with him as a member of the subcommittee he chairs, the Regulatory Affairs and Federal Management Subcommittee.

I also appreciate that my colleague from Michigan Representative HUIZENGA has introduced bipartisan companion legislation in the House of Representatives.

The Federal Vehicle Repair Cost Savings Act is a bipartisan, commonsense measure that will help save taxpayers money and promote conservation by encouraging Federal agencies to use remanufactured auto parts when they are maintaining their fleets of vehicles.

In addition to saving money, this legislation also supports remanufacturing suppliers and their employees in Michigan and across the country. Remanufactured parts are usually less expensive than similar parts and have been returned to same-as-new condition using a standardized industrial process.

The United States is the largest producer, consumer, and exporter of remanufactured goods. Remanufacturing of motor vehicle parts accounts for over 30,000 full-time U.S. jobs, and our country employs over 20,000 workers remanufacturing off-road equipment.

In addition to the cost savings using remanufactured parts, it also has significant environmental benefits. Remanufacturing saves energy by reusing raw materials such as iron, aluminum, and copper. On average, the remanufacturing process saves approximately 85 percent of the energy and material used to manufacture equivalent new products.

I urge my colleagues to support S. 565, the Federal Vehicle Repair Cost Savings Act, commonsense legislation that is good for taxpayers, our environment, and American manufacturers.

Mr. President, I also rise to support the bipartisan Ayotte-Peters amendment to authorize bilateral research and development with Israel on anti-tunnel capabilities.

I appreciate Senator AYOTTE's efforts to work together on this critical matter of national security. Israel remains our closest ally in the Middle East, and this amendment will further our shared cooperation to increase security for both Americans and Israelis.

Our ally Israel faces significant threats from underground tunnels built by terrorists intent on murdering innocent Israelis. Hamas and Hezbollah threaten Israel with an extensive network of sophisticated tunnels which are used to smuggle weapons and carry out kidnappings and attacks against Israeli citizens.

These are not simple tunnels dug by hand with shovels. These tunnels cost millions of dollars and are built with thousands of tons of concrete. Often they are built using resources intended for humanitarian purposes in Gaza but are instead diverted to terrorist activity. They are constructed with machinery designed to avoid detection. In some cases, Hamas has filled the tunnels with provisions to last several months. The Israeli Defense Forces called the tunnels underneath Gaza an underground city of terror.

Bomb attacks from tunnels dug by terrorist organizations are a growing threat to forward deployed U.S. forces and our diplomatic personnel abroad. Terrorists carry out these attacks by digging tunnels underneath a target and detonating explosives.

Earlier this week, the publication Defense One reported that ISIS is also using tunnel bombs as a tactic, detonating at least 45 tunnel bombs in Iraq and Syria over the last 2 years.

We face threats from tunnels on American soil as well. Our own Border Patrol and law enforcement on the

southern border are up against drug smugglers, human traffickers, and other global criminal organizations using tunnels to sneak drugs, weapons, and people across our border illegally.

I serve on the Homeland Security Committee and understand the threat our Border Patrol agents and law enforcement face from transnational criminal organizations using tunnels along our southern border. These criminals flow to the path of least resistance, and as our border security efforts address one threat, they seek other methods to avoid detection and continue their criminal activity.

When the U.S. Border Patrol blocked drug smugglers and human traffickers from utilizing existing drainage tunnels, the criminals began digging their own tunnels. We need to stay ahead of these threats, and that is why we must conduct critical research and development so we can detect and destroy these dangerous tunnels.

This amendment will authorize joint research and development with Israel on anti-tunnel capabilities. This joint approach will help us work together on research and development against this shared threat.

The amendment requires Israel to share in the cost of this research and provides a framework for sharing intellectual property developed together before action is carried out. This amendment will allow the Department of Defense to work with Israel to develop a capability that will be used to protect our homeland and our troops abroad as well as those of our ally.

This amendment will make clear that joint research and development on anti-tunnel capabilities can and should be part of our security cooperation with Israel. It will also send a strong message that the Senate recognizes the threat posed by tunnels intended for attacks against Israel, and this cooperation will help us secure our own borders as well.

I urge all my colleagues to support the Ayotte-Peters amendment No. 1628.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MCCAIN. Mr. President, I ask unanimous consent that amendment No. 1569, as modified, be withdrawn; that the next first-degree amendments in order to H.R. 1735, the Defense authorization bill, be the Gillibrand amendment No. 1578 and the Ernst amendment No. 1549; and that the Gillibrand and Ernst amendments be subject to a 60-affirmative-vote threshold.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 1549 TO AMENDMENT NO. 1463

Mr. MCCAIN. Mr. President, I call up the Ernst amendment No. 1549.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN], for Mrs. ERNST, proposes an amendment numbered 1549 to amendment No. 1463.

Mr. MCCAIN. 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 provide for a temporary, emergency authorization of defense articles, defense services, and related training directly to the Kurdistan Regional Government)

At the end of section 1229, add the following:

(c) STATEMENT OF POLICY.—It is the policy of the United States to promote a stable and unified Iraq, including by directly providing the Kurdistan Regional Government military and security forces associated with the Government of Iraq with defense articles, defense services, and related training, on an emergency and temporary basis, to more effectively partner with the United States and other international coalition members to defeat the Islamic State of Iraq and the Levant (ISIL).

(d) AUTHORIZATION.—

(1) MILITARY ASSISTANCE.—The President, in consultation with the Government of Iraq, is authorized to provide defense articles, defense services, and related training directly to Kurdistan Regional Government military and security forces associated with the Government of Iraq for the purpose of supporting international coalition efforts against the Islamic State of Iraq and the Levant (ISIL) and any successor group or associated forces.

(2) DEFENSE EXPORTS.—The President is authorized to issue licenses authorizing United States exporters to export defense articles, defense services, and related training directly to the Kurdistan Regional Government military and security forces described in paragraph (1). For purposes of processing applications for such export licenses, the President is authorized to accept End Use Certificates approved by the Kurdistan Regional Government.

(3) TYPES OF ASSISTANCE.—Assistance authorized under paragraph (1) and exports authorized under paragraph (2) may include anti-tank and anti-armor weapons, armored vehicles, long-range artillery, crew-served weapons and ammunition, secure command and communications equipment, body armor, helmets, logistics equipment, excess defense articles and other military assistance that the President determines to be appropriate.

(e) RELATIONSHIP TO EXISTING AUTHORITIES.—

(1) RELATIONSHIP TO EXISTING AUTHORITIES.—Assistance authorized under subsection (b)(1) and licenses for exports authorized under subsection (d)(2) shall be provided pursuant to the applicable provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.) and the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), notwithstanding any requirement in such applicable provisions of law that a recipient of assistance of the type authorized under subsection (d)(1) shall be a country or international organization. In addition, any requirement in such provisions of law applicable to such countries or international organizations concerning the provision of end use retransfers and other assurance required for transfers of such assistance should be secured from the Kurdistan Regional Government.

(2) CONSTRUCTION AS PRECEDENT.—Nothing in this section shall be construed as establishing a precedent for the future provision of assistance described in subsection (d) to organizations other than a country or international organization.

(f) REPORTS.—

(1) INITIAL REPORT.—Not later than 45 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that includes the following:

(A) A timeline for the provision of defense articles, defense services, and related training under the authority of subsections (d)(1) and (d)(2).

(B) A description of mechanisms and procedures for end-use monitoring of such defense articles, defense services, and related training.

(C) How such defense articles, defense services, and related training would contribute to the foreign policy and national security of the United States, as well as impact security in the region.

(2) UPDATES.—Not later than 180 days after the submittal of the report required by paragraph (1), and every 180 days thereafter through the termination pursuant to subsection (i) of the authority in subsection (d), the President shall submit to the appropriate congressional committees a report updating the previous report submitted under this subsection. In addition to any matters so updated, each report shall include a description of any delays, and the circumstances surrounding such delays, in the delivery of defense articles, defense services, and related training to the Kurdistan Regional Government pursuant to the authority in subsections (d)(1) and (d)(2).

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

(4) DEFINITION.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations, the Committee on Appropriations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Appropriations, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

(g) NOTIFICATION.—The President should provide notification to the Government of Iraq, when practicable, not later than 15 days before providing defense articles, defense services, or related training to the Kurdistan Regional Government under the authority of subsection (d)(1) or (d)(2).

(h) ADDITIONAL DEFINITIONS.—In this section, the terms ''defense article'', ''defense service'', and ''training'' have the meanings given those terms in section 47 of the Arms Export Control Act (22 U.S.C. 2794).

(i) TERMINATION.—The authority to provide defense articles, defense services, and related training under subsection (d)(1) and the authority to issue licenses for exports authorized under subsection (d)(2) shall terminate on the date that is three years after the date of the enactment of this Act.

Mr. MCCAIN. I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

AMENDMENT NO. 1578 TO AMENDMENT NO. 1463

(Purpose: To reform procedures for determinations to proceed to trial by court-martial for certain offenses under the Uniform Code of Military Justice.

Mr. REED. I ask that the pending amendment be set aside and on behalf of Senator GILLIBRAND I call up amendment No. 1578.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED], for Mrs. GILLIBRAND, proposes an amendment numbered 1578 to amendment to 1463.

Mr. REED. I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The amendment is printed in the RECORD of June 3, 2015, under ''Text of Amendments.'')

Mr. REED. Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, as is obvious, we have an agreement to votes on both the Gillibrand and Ernst amendments. I would imagine it may require a recorded vote, but I am not positive. Then, we are planning on moving forward with additional amendments as agreed to by both sides and a managers' package as well. That is our intention. I am told that at some point there may be a cloture motion on the bill as well.

So I wish to thank the Senator from Rhode Island for his continued cooperation, and hopefully we can get as many Members' amendments as possible up and voted on and finish the bill, at the soonest, next week.

MORNING BUSINESS

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

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

Mr. MCCAIN. I await the impressive and loquacious and convincing words of the Senator from Texas.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I appreciate the comments of my friend from Arizona, but if I am going to be as loquacious as he suggested, it may take me a little more than 10 minutes, so I ask unanimous consent to speak for up to 15 minutes.

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

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. CORNYN. Mr. President, over the last few days, this Chamber has been discussing the Defense authorization bill, thus fulfilling one of our basic responsibilities as part of the Federal Government; that is, our national security, and in the process making sure our warfighters—the people who are on the cutting edge of the knife, so to speak, in terms of our national security—have the resources we are morally committed and duty-bound to provide them.

So when voting for the Defense authorization bill, we as legislators are fulfilling our responsibilities, just as those who wear the uniform are performing their duties—no more, no less—although I must say ours is a tad safer than they are experiencing, to be sure.

With so much at stake for the security of our country, the well-being of our folks in uniform as well as the families of those servicemembers hanging in the balance, as I mentioned yesterday, it is particularly disappointing that the Democratic leader has characterized the discussion of this bill as ''a waste of time.'' I really have to believe he would want to take those words back because it certainly is not a waste of time.

Unfortunately, it is becoming more and more evident that the threats of the Democratic leader and the President of the United States to stall Republicans' efforts to get this bill passed quickly is just the first step to a larger political strategy. The reason I know that is not because it just occurred to me—an epiphany—it is because they said so in the pages of the Washington Post just yesterday.

The headline says it all: ''Democrats prepare for filibuster summer.'' That is the headline in the Washington Post yesterday.

The article goes on to say: ''Democrats have decided to block all spending bills starting with the defense appropriations measure headed to the floor next week.''

So imagine my surprise when yesterday the Democratic leader came to the floor and accused Republicans of threatening to shut down the government, the same day his colleague, the senior Senator from New York, detailed their strategy to block all appropriations bills, in the Washington Post.

One thing we have to love about our friends across the aisle: They are not unclear, nor are they timid, about telling us what their plans are. Indeed, it is there for the world to read and for us to read.

But let me say it again. Hours after the Democratic leader laid out their plans to filibuster all government spending bills, their leader claimed Republicans were the ones threatening a shutdown.

This type of cynical political maneuvering is what the American people so soundly rejected in the last election on November 4. Stifling debate and shutting down the Senate are not what the American people sent us to do, and it is certainly not what my constituents expect me to do on their behalf.

Today, our colleagues across the aisle have now blocked an amendment that would provide for greater sharing of information to address the rampant and growing cyber threat this country faces. The sharing of cyber threat information will help us as a country deter future cyber attacks, and it helps both the public and the private sector to act in a more nimble way when attacks are detected. So the fact that seven Democrats joined virtually all Republicans to move forward with this bill, tells me the Democratic position is not monolithic. In other words, when the Democratic leader and the senior Senator from New York say it is our plan to shut down the Senate and not to cooperate to get the people's work done, not every Member of the Democratic minority are comfortable with that cynical strategy—and good for them.

The refusal to move forward with this legislation, particularly the cyber security part of this discussion, is just unconscionable.

Let me give my colleagues some other headlines. Just last week, there was a massive breach at the Office of Personnel Management. The sensitive personal information of up to 4 million—4 million—current and former Federal employees may have been compromised. There are now reports that the stolen data includes login information and credentials that is actively being traded, bought, and sold online.

Now, we will await the details of the current investigation into this, but we know it has great potential to harm not only the privacy interests and the financial interests of the people affected but also our national security. We know there are state actors—notably China and Russia—who are, on a regular basis, engaged in cyber attacks against the United States in an effort to steal our intellectual property as well as in order to do intelligence operations using the Internet and using cyber space.

Now, in terms of the personal interests of these employees, it may expose them—many of whom may work with national security matters—to further targeting by hackers, identity thieves, and even foreign intelligence agents.

At the end of last month, it was reported that the data of more than 100,000 taxpayers was stolen at the IRS. Just so colleagues understand the reason for my concern, the former Acting Director of the CIA, on June 11, 2015, when asked about former Senator and former Secretary of State Hillary Clinton's decision to put all of her official emails at the Secretary of State's office on a private email server, Michael Morell said: ''I think that foreign intelligence services, the good ones, have everything on any unclassified network that the government uses.''

So not only do they have it on unclassified networks such as the one Hillary Clinton maintained, but also if they are able to breach the security measures we have in place on government networks, they are happy to steal