

years ago, and what I learned is that high-quality technical education is an important part of the educational spectrum. We downgraded it for a number of years, but there is a renaissance now.

What my amendment would do is it would go into the current Federal law and specify that career and technical education programs are core curricula. Originally, English, math, and science were. This bill broadens what is a core curriculum to include computer science and foreign languages. This amendment would make plain that high-quality career and technical education is a core academic subject.

I wish to thank Senators AYOTTE, MERKLEY, SCOTT, BALDWIN, and WARNER as cosponsor. I also thank the chairman and ranking member for bringing this bipartisan bill to the floor.

This is commonsense and bipartisan. I hope it will pass.

The PRESIDING OFFICER. The Senator from California.

#### AMENDMENT NO. 2087

Mrs. FEINSTEIN. Madam President, I rise to speak on amendment No. 2087. It is pretty simple what this amendment would do, and I present it on behalf of Senator PORTMAN and myself. It assures that homeless children have access to HUD housing.

Today, we have 1.3 million children homeless in this country. In my State, we have 310,000. The problem is getting a clear definition of an individual who is homeless. This bill would allow the appropriate authorities in a school to certify that a youngster is homeless, so we don't have a conflict between the HUD certification and the school certification. It is long overdue. I believe it will be helpful. I am very hopeful this amendment will pass with a very big vote.

I thank the Chair, and I thank Senator PORTMAN.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. I yield back our remaining debate time on the final amendments.

The PRESIDING OFFICER. All Democratic debate time is yielded back.

Mr. ALEXANDER. Madam President, I yield back all Republican time.

The PRESIDING OFFICER. All time is yielded back.

#### VOTE ON AMENDMENT NO. 2147

The question is on agreeing to amendment No. 2147.

The amendment (No. 2147) was agreed to.

#### VOTE ON AMENDMENT NO. 2103

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2103.

The amendment (No. 2103) was agreed to.

#### VOTE ON AMENDMENT NO. 2096

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2096.

The amendment (No. 2096) was agreed to.

#### VOTE ON AMENDMENT NO. 2121

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2121.

The amendment (No. 2121) was agreed to.

#### VOTE ON AMENDMENT NO. 2087

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2087.

The amendment (No. 2087) was agreed to.

#### VOTE ON AMENDMENT NO. 2079

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2079.

The amendment (No. 2079) was agreed to.

The PRESIDING OFFICER. The majority leader.

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016

Mr. MCCONNELL. Madam President, I ask that the Chair lay before the Senate the House message accompanying H.R. 1735.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the House disagree to the amendment of the Senate to the bill (H.R. 1735) entitled "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," and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

#### COMPOUND MOTION

Mr. MCCONNELL. I move to insist upon the Senate amendment, agree to the request by the House for a conference, and authorize the Presiding Officer to appoint conferees.

The PRESIDING OFFICER. The motion is pending.

#### CLOTURE MOTION

Mr. MCCONNELL. I send a cloture motion to the desk.

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

The senior assistant legislative 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 motion to insist upon the Senate amendment, agree to the request by the House for a conference, and authorize the Presiding Officer to appoint conferees with respect to H.R. 1735.

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.

#### ORDER OF PROCEDURE

Mr. MCCONNELL. I ask unanimous consent that notwithstanding rule XXVIII, that the time until 1:45 p.m. today be divided between the managers or their designees and that at 1:45 p.m., all postcloture time be expired and that the Senate vote on the motion to invoke cloture on the motion to insist upon the Senate amendment, agree to the request by the House for a conference, and authorize the Chair to appoint conferees with respect to H.R. 1735; further, if the compound motion is agreed to, Senator REED of Rhode Island or his designee be immediately recognized to offer a motion to instruct the conferees; and that there be 2 minutes of debate equally divided on that motion, and following the disposition of that motion, the Senate resume consideration of S. 1177.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Louisiana.

#### SANCTUARY CITIES

Mr. VITTER. Madam President, I rise to discuss the very significant issue of sanctuary cities.

Obviously, we have all been startled and saddened by the horrific murder in San Francisco that is a direct result of San Francisco's sanctuary city policy. As a result, I will be filing an amendment today on this bill to address sanctuary city policy.

This is not a new idea for me. It is not a new issue. I have had legislation on this topic since 2009. I have tried to get the attention of the U.S. Senate and the attention of others on this topic numerous times since then. I have only been able to get one vote on an appropriations bill. Unfortunately, my amendment to try to end sanctuary city policy around the country was tabled, with every Democrat, sadly, voting to table the amendment, except my then-Democratic colleague Senator Mary Landrieu.

I hope the very tragic murder of Kathryn Steinle in San Francisco—a wonderful 32-year-old woman—gets all of our attention and causes all of us to focus on this very serious issue. As we all know, her murderer was an illegal alien who was deported five times previously. As we all know, he was an illegal alien who was convicted of felonies seven times previously. As we all know, it is because of San Francisco's sanctuary city law, defying Federal law, that caused local police officials there not to cooperate with U.S. Immigration and Customs Enforcement officials to hold this dangerous criminal for further deportation proceedings.

Obviously, there are a lot of things wrong with our immigration system that this case illustrates. The fact that he could come back into the country so many times, having been deported, is a real red flag. But certainly this also underscores the truly dangerous nature of sanctuary cities policy.

Unfortunately, San Francisco is not alone in promoting this ridiculous policy. There are over 200 cities now that

defy Federal law and provide this safe haven to illegal immigrants, including very dangerous illegal immigrants such as the murderer of Kathryn Steinle. For years, leaders in this city have argued that providing such a sanctuary assists local law enforcement in doing their job. Really? Really? We are going to look at this case in San Francisco and keep up those ridiculous arguments? Let's get real. Let's call these policies to a halt. They are contrary to existing Federal law, but the problem is we have never put teeth in that existing Federal law. It is absolutely time we did so.

This horrible murder in San Francisco isn't the only one of its kind. Just last week, an 18-year-old girl and her 4-year-old son were found shot and burned in their car. Right now, the top suspect is the woman's boyfriend, an illegal immigrant who was deported in 2014, who illegally reentered the country. In my home State of Louisiana, we have identified serious felons who have been released from jail and are now free to roam in Louisiana. We know of these cases.

Now, I hope this recent incident in San Francisco does get some folks' attention. There is hopeful evidence about this. In a statement following the shooting, Hillary Clinton said that any city should listen to the Department of Homeland Security and fully cooperate with their law enforcement and deportation work. Even before the incident in a hearing before the House Oversight and Government Reform Committee, the Director of Immigration and Customs Enforcement Sarah Saldana described the adverse effects of sanctuary city policy. She said that a significant factor affecting efforts to deport illegal immigrants "has been the increase in state and local jurisdictions that are limiting their partnership, or wholly refusing to cooperate with ICE immigration enforcement efforts. . . . [I]n certain circumstances we believe such a lack of cooperation may increase the risk that dangerous criminals are returned to the streets, putting the public and our officers at greater risk."

Well, yes, we saw the direct result of that dangerous, reckless sanctuary city policy in San Francisco recently.

Right now there are nearly 170,000 convicted criminal aliens who have been ordered deported who remain at large in our country. The question for sanctuary cities is, Are they going to continue to protect those people or are they going to finally cooperate with immigration enforcement officials to do something about rounding up those people, not allowing them to roam on our streets?

We need to change our stance that allows sanctuary cities to get away with being accessories to murder. Let me repeat that. They are getting away with being accessories to murder, and we need to put an end to that.

My legislation, first introduced in 2009, would do that by putting real

teeth in Federal law, which does not exist now. My amendment on this bill, which I will be filing today, would do that by putting real teeth into Federal law, which does not exist now. We need to take this up and we need to do something to shut down over 200 sanctuary cities around the country that are clearly endangering the lives and well-being of American citizens.

I urge all of my colleagues to come together to support this commonsense policy. We need to act. The tragic events in San Francisco prove that we need to act.

Six years and waiting on this commonsense proposal from me and others is 6 years and waiting way too long. We need to act now. I urge all of our colleagues to join me and others in doing so.

Thank you, Madam President. I yield the floor.

The PRESIDING OFFICER (Mrs. ERNST). The Senator from Rhode Island.

Mr. REED. Madam President, as the Republican leader indicated pursuant to unanimous consent, I will shortly be offering a motion to instruct conferees on the fiscal year 2016 National Defense Authorization Act regarding the inappropriate use of overseas contingency operations funding in this bill.

The motion to instruct I am offering today directs the NDAA conferees to "insist that the final conference report fully fund the President's budget request for the Department of Defense, including \$534.3 billion in base budget funding and \$50.9 billion in Overseas Contingency Operations or OCO budget funding, thereby supporting the bipartisan view that the funding caps imposed by the Budget Control Act of 2011 should be eliminated or increased in proportionally equal amounts for the revised security and nonsecurity spending categories."

This motion to instruct is consistent with the President's fiscal year 2016 budget request for defense, which assumed a resolution to the Budget Control Act, or BCA, dilemma that we have been trying to address. If this BCA situation is resolved, we can remove the threat of sequestration on both the defense and domestic spending. Unfortunately, the bill had to rely upon a budgetary—and it has been described by many people—gimmick by transferring \$39 billion from the base budget request for enduring military requirements to the OCO budget, leaving a base budget that is just below BCA levels in order to avoid triggering sequestration.

In the absence of a resolution to the spending caps in the BCA, the administration has stated that any legislation that contributes to locking in massive cuts to nondefense departments and agencies—such as this one—will be subject to a veto.

Now one of my concerns is, when we use this device or gimmick this year, it will pave the way to use it next year and the following year and year after

that. So we will have this enduring imbalance between security spending in the Department of Defense and non-security spending in non-Defense Department agencies and a full range of governmental spending. Abusing OCO is completely contrary to the intent of BCA. The BCA was designed to impose proportionately equal cuts on defense and nondefense discretionary spending to force a bipartisan compromise. This approach unilaterally reneges on that bipartisan agreement.

OCO and emergency funding are outside the budget caps for a reason. They are for the costs of ongoing military operations and to respond to other unforeseen events like natural disasters. To suddenly ignore the true purpose of OCO and treat it as a budgetary device or slush fund to skirt the BCA is an unacceptable use for this important tool for our warfighters.

Just to highlight how this OCO gimmick skews defense spending, consider the amount of OCO in relation to the number of deployed troops. Most Americans have a very commonsense approach. If we have lots of troops engaged in operations overseas in Afghanistan, Iraq, and elsewhere, then we need lots of OCO funding as well. In 2008—the height of our nation's troops in Iraq and Afghanistan, over 187,000 troops deployed—we spent approximately \$1 million in OCO per troop. Under this bill, we would spend approximately \$9 million in OCO for each of our deployed troops in Iraq and Afghanistan.

Simply put, this approach, which circumvents the spirit of the law, is not fiscally responsible or an honest accounting nor is it consistent with the notion of why we created OCO in the first place, to support troops overseas engaged in overseas operations.

There is another point. True national security requires that non-DOD departments and agencies also receive relief from BCA caps. The Pentagon simply cannot meet the complex set of national security challenges without the help of other governmental departments and agencies, including State, Justice, and Homeland Security. In the Armed Services Committee, we heard testimony on the essential role of other government agencies in ensuring our national defense remains strong. The Department of Defense's share of the burden would surely grow if these agencies are not funded adequately.

The BCA caps are based on a misnomer that discretionary spending is neatly divided into security and non-security spending. Let's be clear, essential national security functions are performed by governmental agencies other than the Department of Defense. As retired Marine Corps General Mattis said, "If you don't fund the State Department fully, then I need to buy more ammunition."

With regard to the threat from the so-called Islamic State of Iraq and the Levant, or ISIL, Secretary of Defense

Carter told the Armed Services Committee on Tuesday that “the State Department, the Department of Homeland Security, other agencies that are critical to protecting us against ISIL and other threats, they need resources too. And so that’s another reason why I appeal for an overall budget perspective. . . . I really appeal for that, not just for my own department, but for the rest of the national security establishment, I think it’s critical.”

According to a poll earlier this year, 83 percent of Americans think ISIL is the No. 1 threat to the United States. It is notable that of the administration’s nine lines of effort to counter ISIL, only two, the security and intelligence efforts, reside within the responsibilities of the Department of Defense and intelligence community. The remaining seven elements for our counter-ISIL strategy rely heavily on our civilian departments and agencies.

For example, supporting effective governance in Iraq. We need our diplomatic as well as political experts at the State Department to engage with Sunni, Shia, Kurd, and minority communities in Iraq to promote reconciliation in Iraq and build political unity among the Iraqi people.

Building partner capacity. The coalition is building the capabilities and capacity of our foreign partners in the region to wage a long-term campaign against ISIL, much of what is being carried out by the State Department and USAID.

Disrupting ISIL’s finances requires the State Department and Treasury Department to work with their foreign partners and the banking sector to ensure that our counter-ISIL sanctions regime is implemented and enforced.

Exposing ISIL’s true nature. Our strategic communications campaign requires a truly whole-of-government effort, including the State Department, Voice of America, USAID, and others. The Republican approach to funding our strategic communications strategy is a part-of-government plan, not a whole-of-government plan, unless we recognize that we have to make adjustments in the BCA caps for every agency in the government.

Another aspect is disrupting the flow of foreign fighters. These foreign fighters are the lifeblood of ISIL. Yet the State Department and key components of the Department of Homeland Security are facing severe cuts, undermining ongoing work with partner nations to disrupt the flow of foreign fighters to Syria and Iraq and to protect our borders here at home.

The sixth line, protecting the homeland. The vast majority of the Department of Homeland Security falls under nonsecurity BCA caps. This further demonstrates that the Republican plan is a misnomer, a gimmick, and an effort to play a game of smoke and mirrors with the American people. They are very critical to our security here at home. Yet they are in that “non-defense” part of the budget.

Humanitarian support is critical. It is even more critical as you look at the papers and see there is a huge number of people coming out of Syria. Military commanders will routinely tell you that the efforts of the State Department, USAID, the Office of Foreign Disaster Assistance is critical to our campaign, none of which are considered security activities under the Budget Control Act.

Taken together, this proposal, which is embedded in the underlying legislation, could compromise our broader campaign against ISIL and deprive significant elements of our government of the resources we need to do the job of protecting the American people.

In another respect, adding funds to OCO does not solve and sometimes complicates the DOD’s budgetary problems. Defense budgeting needs to be based on our long-term military strategy, which requires the DOD to focus at least 5 years into the future. A 1-year plus-up to OCO does not provide DOD with the certainty and stability it needs when building its 5-year budget. As General Dempsey, Chairman of the Joint Chiefs, testified, “We need to fix the base budget . . . we won’t have the certainty we need” if there is a year-by-year OCO fix.

On Tuesday, Secretary of Defense Carter told the Armed Services Committee, “It’s embarrassing that we cannot, in successive years now, pull ourselves together before an overall budget approach that allows us to do what we need to do, which is . . . program in a multiyear manner, not in a one-year-at-a-time manner.”

Abuse of OCO in this massive way risks undermining support for a critical mechanism used to fund the increased costs of overseas conflicts. We have to have a disciplined system for estimating the cost and funding the employment of a trained and ready force.

The men and women of our military volunteer to protect and are overseas fighting for American ideals, including good education, economic opportunity, and safe communities. Efforts to support all of these goals will be hampered unless civilian departments and agencies also receive relief from BCA caps.

Our young men and women who are sacrificing their lives overseas, not just to defeat the enemy in the field but to give opportunity for hope and a chance here at home for their brothers and sisters, for their aunts and uncles. Our servicemembers and their families rely on many of the services provided by non-DOD departments, including veterans employment services, transition assistance, housing and homeless support provided by various civilian departments and agencies, impact aid to local school districts administered by the Department of Education, the school lunch program provided by the Department of Agriculture, lifesaving medical research on issues such as traumatic brain injury, post-traumatic stress, and suicide prevention, sup-

ported by the National Institutes of Health, health care for retirees and disabled individuals under Medicare, Medicaid services for parents, including military parents and children with special needs. All of these programs that benefit directly men and women in uniform and their families would be restricted, and I don’t think that is why they are risking their lives, to see these programs that are helpful to them unnecessarily cut back.

Our national security is also inherently tied to our economic security. The President underscored this point on Monday when he said:

The reason we have the best military in the world is, first and foremost, because we have got the best troops in history, but it’s also because we’ve got a strong economy and we’ve got a well-educated population and we’ve got an incredible research operation and universities that allow us to create new products that then can be translated into our military superiority around the world. We shortchange those, we’re going to be less secure.

The NDAA has been accused of not being a funding bill. So we don’t have to worry about the budgetary complications. But indeed we do. The stated purpose of the bill is to authorize appropriations for fiscal year 2016 for military activities for the Department of Defense. It is one of the few bills we do every year to directly authorize appropriations. So it is intimately tied to the appropriations, to BCA, and to all of the issues I have talked about.

Indeed, we have said—and the committee has said repeatedly—that we are authorizing money. It is not just suggesting things to do but actually providing real money to the Department of Defense. If we do that, I think we have to do it in a way that does not use this OCO exception this year—and, unfortunately, in the years to come, if we let it happen this year—but that we are transparent, clear, and we put the money in the base budget and we move forward.

I think it is clearly within the scope of the conference. That is why I will be offering this motion to instruct. Everyone I talk to, on both sides of the aisle, with very rare exception, will make an individual strident pitch that we have to fix BCA, that this is not the best approach. I heard that this morning when we had General Dunford before the committee—on both sides of the aisle: These BCA caps are not the right way to fund our national defense and not the right way to fund other elements of government.

We can disagree on funding levels, but there seems to be a strong consensus that the BCA is not working for the benefit of the American people and we have to fix it. Yet we are not fixing it in the legislation that is before us nor are we doing things to help leverage such a discussion and to help us to come together to do what we all claim we want to do, which is to remove those arbitrary caps, avoid sequestration, and contribute to a whole-government approach—not just to national

security but to economic prosperity, to educational opportunity. All of that has to be done not by using these budgetary loopholes not designed for the purpose they are being used for but by sitting down and coming up with sensible legislation.

We did it before with the great work of Senator MURRAY and Congressman PAUL RYAN, and we have to do it again. So I will urge my colleagues to vote in favor, obviously, when this comes up—this motion to instruct—so we send the right message to our conference.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. May I ask, is the Senate in morning business?

The PRESIDING OFFICER. The Senate is on the message to accompany H.R. 1735.

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

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

#### WASTEFUL SPENDING

Mr. COATS. Madam President, I come down here every week, as the Presiding Officer knows. She is usually in the chair when I am here, listening to my "Waste of the Week". I am a little bit later this week than I normally am. But the issue of waste, fraud, and abuse in the Federal Government continues. We have covered a lot of ground on serious issues such as tax fraud and misplaced death records, to the more absurd, such as the federally funded rabbit massages and marketing support for pumpkin doughnuts. Each of those has a pricetag. That pricetag is paid for by the American taxpayer.

I am happy today to be able to announce that one of the items which I highlighted in a previous "Waste of the Week" speech has been addressed. In May, my 11th "Waste of the Week" speech examined ways to improve compliance measures for higher education tax benefits. I outlined how Congress can fix this problem to achieve \$576 million in taxpayer savings.

So that is a former "Waste of the Week". It is a great benefit to universities, colleges, and educational institutions across the country because previous laws required them to provide information even when those applying for the particular aid refused to provide certain information. It created a nightmare of paperwork and a nightmare of compliance for those colleges and universities.

So that provision that we brought forward was incorporated into law that has now been passed, signed by the President, and is operative. We not only have saved the taxpayer \$576 million, but we have provided universities relief from an unnecessary procedure that consumed an extraordinary amount of time.

Today I want to talk about software licenses. The Federal Government needs to purchase literally millions of these licenses. In order to get the IT,

the information technology, working right you have to have the right equipment. In fact, the government spent \$80 billion last year on information technology, including these software licenses.

Now, the Office of Management and Budget and the 24 Federal agencies that are covered by the Chief Financial Officers Act of 1990 have very key roles and responsibilities for overseeing IT investment management. Federal law places responsibility for managing investment with the heads of these agencies and establishes chief information officers to advise and assist agency heads in carrying out this responsibility.

Now, there are two Executive orders that have been issued that provide information for these Federal agencies regarding the management of how they go about procuring and managing these software licenses. Executive Order No. 13103 specifies that agencies must adopt procedures to ensure that they are not using this computer software in violation of copyright laws.

Additionally, Executive Order No. 13589 states that agencies must ensure that they are not paying for unused or underutilized IT equipment, software, and services.

Now, the Government Accountability Office has conducted a study, an evaluation of how well this is being managed and implemented. What they found is that in many, many cases it is not happening. Specifically, the Government Accountability Office found that the Office of Management and Budget and the vast majority of Federal agencies lacked adequate policies for managing their software licenses. Of the 24 major Federal agencies that I mentioned before, only 2—only 2 out of 24—had comprehensive policies that included the establishment of clear roles and central oversight authority by managing enterprise software license agreements.

Only 2 out of 24 have lived up to their requirement to manage in the way that these executive orders have ordered. An additional 18 agencies had some type of policy in place, but the Government Accountability Office determined that this simply was not comprehensive enough and effective enough. Four agencies were found to have no policy at all. They totally ignored the mandates of the executive orders.

So these weaknesses in the system result from principally a lack of priority in establishing software license management. Now, this is kind of a technical thing. I certainly admit that I am not fully comprehensive in terms of how all of this IT stuff needs to work. But we hire people who are talented and have the skills necessary to oversee this kind of management. Now, the key here is that the result of not effectively managing this has racked up a cost estimated at \$10 billion over a 10-year period of time.

So this is just complying with the executive orders, complying with the pro-

cedures that are done by every business in America. But the Federal Government has not complied with the necessary steps to achieve the right kind of management and oversight, and that is costing the taxpayer up to \$10 billion. So today we add more to our ever-increasing amount of waste, fraud, and abuse that has been found within the Federal system, and we are moving toward our goal of \$100 billion.

There will be more "Wastes of the Week" in the future. We hope to reach that \$100 billion before we leave here for the August recess, with 3 more weeks before that happens. We are way ahead of schedule. We had hoped to reach the \$100 billion by the end of this Congress. But we have determined and found so many examples of waste, fraud, and abuse, that our gauge is climbing much faster than we thought it would.

Look, we have major fiscal problems in this country. It is going to take major decisions relative to how we structure how we spend taxpayers' money. We have had numerous efforts to deal with this in a macro way. All of those have come up short. While I was engaged in all of that before, I have turned my attention to this: Let's see at least if we cannot find savings for the taxpayer in the areas of waste, fraud, and abuse, and document it.

I am pleased, as I said at the beginning of my remarks, that one of those has just been implemented, saving the taxpayers \$576 million and saving our colleges and universities and institutions of higher education from a nightmare of paperwork and compliance requirements that they will no longer have to engage in. So we will continue. We will do serious issues. We will look at some absurd things that cause people to say: Why in the world would we ever spend that money in the first place? It is just not responsible leadership and governing.

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. COATS. 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. COATS. Madam President, I ask unanimous consent that the remaining time under the current order be divided equally between both sides.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCAIN. 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. MCCAIN. Madam President, I ask unanimous consent that the mandatory quorum call with respect to the

compound motion to go to conference on H.R. 1735 be waived.

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

Mr. MCCAIN. Madam President, in just a few minutes, we are going to take a vote on a motion to instruct the conferees on the National Defense Authorization Act that would then basically—if these instructions were agreed to, would actually repeal the Budget Control Act passed by the Senate. It would be a direct repudiation of what—after many hours of debate, some amendments that were passed by the Senate and would, on an authorization bill, require budgetary and fiscal measures which are totally inappropriate.

Basically, the problem that my friends on the other side of the aisle have is that they want equal reductions. They want restoration of funding for both nondefense and defense that is forced by the Budget Control Act.

This legislation that is before the body, which is authorized according to the Budget Control Act—and if the instructions to the conferees were enacted, which is before the body now, that somehow we would then be able to repudiate the Budget Control Act which was passed and we would also be dealing with funding which has nothing to do with the authorization bill.

So my friends on the other side of the aisle have a problem with OCO—the overseas contingency operations—but they are trying to change it on an authorization bill. I wish my dear friends would look at the rules of the Senate. If they have a problem with funding, that is what the appropriations bills are all about.

I urge my colleagues to reject what is obviously an unworkable and unrealistic approach to a problem that I agree is a problem. Sequestration is harming our ability to defend this Nation. But in order to defend the Budget Act—to change the budget that was passed by a majority and now is part of what guided our appropriations bills—that is where their problems should lie.

I urge my colleagues to reject these instructions to the conferees which would basically—I do not see a way that we could possibly confer with the House after passing these kinds of instructions. So I urge a “no” vote on Mr. REED’s motion to instruct the conferees concerning H.R. 1735. Basically, we would have to take approximately \$38 billion worth of authorization out of the authorization bill. So I urge a “no” vote.

And I say to my friend and colleague, the Senator from Rhode Island, whom I respect and admire and whose friendship I value, on this issue we simply disagree.

Madam President, I yield the floor.

The PRESIDING OFFICER. All time has expired.

#### CLOTURE MOTION

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

The legislative 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 motion to insist upon the Senate amendment, agree to the request by the House for a conference, and authorize the Presiding Officer to appoint conferees with respect to H.R. 1735.

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

The question is, Is it the sense of the Senate that debate on the motion to insist upon the Senate amendment, agree to the request by the House for a conference, and authorize the Presiding Officer to appoint conferees with respect to H.R. 1735 shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Kansas (Mr. MORAN), the Senator from Florida (Mr. RUBIO), and the Senator from Nebraska (Mr. SASSE).

Further, if present and voting, the Senator from Nebraska (Mr. SASSE) would have voted “yea.”

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) is necessarily absent.

I further announce that, if present and voting, the Senator from Maine (Mr. KING) would vote “yea.”

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

The yeas and nays resulted—yeas 81, nays 15, as follows:

[Rollcall Vote No. 229 Leg.]

#### YEAS—81

Alexander	Enzi	Murphy
Ayotte	Ernst	Murray
Baldwin	Feinstein	Nelson
Barrasso	Fischer	Perdue
Bennet	Flake	Peters
Blumenthal	Gardner	Portman
Blunt	Graham	Reed
Boozman	Grassley	Risch
Boxer	Hatch	Roberts
Burr	Heinrich	Rounds
Cantwell	Heitkamp	Schatz
Capito	Heller	Schumer
Cardin	Hirono	Scott
Carper	Hoeven	Sessions
Casey	Inhofe	Shaheen
Cassidy	Isakson	Shelby
Coats	Johnson	Stabenow
Cochran	Kaine	Sullivan
Collins	Kirk	Tester
Coons	Klobuchar	Thune
Corker	Lankford	Tillis
Cornyn	Lee	Toomey
Cotton	McCain	Udall
Crapo	McCaskill	Vitter
Daines	McConnell	Warner
Donnelly	Mikulski	Whitehouse
Durbin	Murkowski	Wicker

#### NAYS—15

Booker	Cruz	Gillibrand
Brown	Franken	Leahy

Manchin  
Markey  
Menendez

Merkley  
Paul  
Reid

Sanders  
Warren  
Wyden

#### NOT VOTING—4

King  
Moran

Rubio  
Sasse

The PRESIDING OFFICER. On this vote, the yeas are 81, the nays are 15.

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

#### COMPOUND MOTION

The question now occurs on agreeing to the motion to insist upon the Senate amendment, agree to the request by the House for a conference, and authorize the Chair to appoint conferees with respect to H.R. 1735.

The motion is not debatable.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Rhode Island.

#### MOTION TO INSTRUCT CONFEREES

Mr. REED. Mr. President, I have a motion to instruct conferees which is at the desk, and I ask for its consideration.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. REED] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on H.R. 1735 (the National Defense Authorization Act for Fiscal Year 2016) be instructed to insist that the final conference report fully fund the President’s budget request for the Department of Defense, including \$534.3 billion in base budget funding and \$50.9 billion in Overseas Contingency Operations budget funding, thereby supporting the bipartisan view that the funding caps imposed by the Budget Control Act of 2011 should be eliminated or increased in proportionally equal amounts for the revised security and non-security spending categories.

The PRESIDING OFFICER. There is 2 minutes of debate equally divided on the motion.

The Senator from Rhode Island.

Mr. REED. Mr. President, this motion represents what we have heard from the Secretary of Defense and all of our uniformed leaders in the military who are saying that we should budget appropriately, put long-term defense needs in the base budget—\$534 billion—and reserve OCO for what it was intended to be—overseas operations. But because of the Budget Control Act, we are using OCO as the device to avoid real budgeting and giving the Department of Defense the real long-term resources it needs.

Not only does this represent what the Department of Defense desires, but it also represents what we need to defend the American people. We need more than just the Department of Defense. We need Homeland Security. We need the State Department. We need Treasury. We need everyone to defend this country.

This approach would begin the discussion and debate, I hope, to get relief from the BCA to move forward and to deal with the threats facing this country in a rational, logical way.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I would ask my colleagues to oppose this motion. We have had this discussion a number of times. This defeats the budget, and this isn't the appropriate place to rehash this or to try to do something different. Everything we have been working on has been based on this principle. Incidentally, those budget caps were signed by the President of the United States and said this was an allowable use without breaking the caps and causing sequester.

So we can fund defense, and defense needs to be defended and funded, and it will be under the principles that we have right now, and we can work on other methods as we work on this and other budgets. So I ask that we vote against this and not put this extra burden on the committee that doesn't really have the jurisdiction to do all that is being requested in this motion. We voted it down before. Let's vote it down again.

The PRESIDING OFFICER. The question is on agreeing to the motion to instruct conferees.

Mr. CARDIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAPO), the Senator from Kansas (Mr. MORAN), and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) is necessarily absent.

I further announce that, if present and voting, the Senator from Maine (Mr. KING) would vote "yea."

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

The result was announced—yeas 44, nays 52, as follows:

[Rollcall Vote No. 230 Leg.]

#### YEAS—44

Baldwin	Gillibrand	Nelson
Bennet	Heinrich	Peters
Blumenthal	Heitkamp	Reed
Booker	Hirono	Reid
Boxer	Kaine	Schatz
Brown	Klobuchar	Schumer
Cantwell	Leahy	Shaheen
Cardin	Manchin	Stabenow
Carper	Markey	Tester
Casey	McCaskill	Udall
Coons	Menendez	Warner
Donnelly	Merkley	Warren
Durbin	Mikulski	Whitehouse
Feinstein	Murphy	Wyden
Franken	Murray	

#### NAYS—52

Alexander	Cochran	Fischer
Ayotte	Collins	Flake
Barrasso	Corker	Gardner
Blunt	Cornyn	Graham
Boozman	Cotton	Grassley
Burr	Cruz	Hatch
Capito	Daines	Heller
Cassidy	Enzi	Hoeven
Coats	Ernst	Inhofe

Isakson	Perdue	Shelby
Johnson	Portman	Sullivan
Kirk	Risch	Thune
Lankford	Roberts	Tillis
Lee	Rounds	Toomey
McCain	Sanders	Vitter
McConnell	Sasse	Wicker
Murkowski	Scott	
Paul	Sessions	

#### NOT VOTING—4

Crapo	Moran
King	Rubio

The motion was rejected.

The Presiding Officer appointed Mr. MCCAIN, Mr. INHOFE, Mr. SESSIONS, Mr. WICKER, Ms. AYOTTE, Mrs. FISCHER, Mr. COTTON, Mr. ROUNDS, Mr. GRAHAM, Mr. REED, Mr. NELSON, Mr. MANCHIN, Mrs. GILLIBRAND, Mr. DONNELLY, Ms. HIRONO, and Mr. KAINE conferees on the part of the Senate.

#### EVERY CHILD ACHIEVES ACT OF 2015—Continued

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I rise today to talk about the important bill before us today, the Every Child Achieves Act, which reauthorizes the Elementary and Secondary Education Act and fixes No Child Left Behind.

I also rise today to talk about the reauthorization of the Export-Import Bank, which is also a very important matter for our country.

I thank Senators ALEXANDER and MURRAY for their great leadership in crafting a bipartisan bill that makes critical updates to No Child Left Behind that will help ensure that all students receive a quality education. They worked together from the very beginning on this important bill, and I think the results show how important it is.

I come to the floor to talk about three amendments in this bill. The Presiding Officer is a cosponsor on one of the amendments, which is about STEM education. I think we all know that in today's global economy, education is key to our economic prosperity. The Senator from North Dakota understands that because our two States, North Dakota and Minnesota, have some of the lowest unemployment rates in the country. We have exciting economies with technological jobs to fill. We are two States that make and invent products which we then export to the world. To keep doing that, America's next generation of innovators will have to be highly trained and highly skilled. We certainly see this in my State. According to the Minnesota High Tech Association, Minnesota will be home to nearly 200,000 technology jobs in the next decade. Part of this is getting young people engaged at an early age.

Today's high school students aren't just competing against students in Milwaukee and Miami, they are competing against students in Munich and Mumbai. If America is going to keep its spot atop the world's high-tech hierarchy, students in our country must receive the best training and education

we can provide. That is why Senator HOEVEN and I are working to increase the emphasis on STEM education.

The Klobuchar-Hoeven amendment, modeled after our Innovate America Act, will expand STEM opportunities for more students by allowing school districts to use existing Federal STEM funding to create STEM specialty schools or to enhance existing STEM programs within the schools. Our provision will also ensure that the Department of Education is aligning STEM programs and resources with the needs of school districts and teachers. I understand that it is in the managers' package, and I thank the two leaders for that.

The second amendment is the improving teacher and principal retention. The Every Child Achieves Act includes important reforms to improve the quality of education for students in Indian Country. One challenge that schools serving Native Americans continue to confront is the high rate of teacher and principal turnover and the instability it causes. Turnover hurts school districts with the added cost of rehiring and retraining, and it hurts kids as teachers come and go.

One way to decrease teacher and principal turnover is to boost the professional development these teachers receive. Inadequate professional development and the lack of ongoing support are some of the key reasons why some of our best teachers are leaving. That is why Senator MURKOWSKI of Alaska and I have been pushing a provision to improve teacher and principal retention in schools serving American Indian and Alaska Native students. Specifically, our amendment adds mentoring and teacher support programs, including instructional support from tribal elders and cultural experts, to improve the professional development that teachers and principals in Indian schools receive. This is also in the managers' package, and we appreciate that.

The next amendment deals with chronic absenteeism. We know students can't learn if they are not in school. When I was a prosecutor in Hennepin County, I developed a major truancy initiative to keep kids in school and out of the courtroom. My office worked closely with local schools on a faster, more effective response to truancy problems. That is why my provision in the Every Child Achieves Acts will provide professional development and training to schools to help ensure that teachers, principals, and other school leaders have the knowledge and skills necessary to address issues related to chronic absenteeism.

Truancy is sometimes called the kindergarten of crime because it is truly an early risk factor. I still remember looking at the files of serious juvenile offenders—ones who committed homicide and the like—and I realized the first indication that there was a real problem was truancy. It doesn't just hit in high school; it actually usually