

Pascual, a fellow in my office, to be granted floor privileges during today's session.

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

#### SPECIAL NEEDS TRUST FAIRNESS ACT OF 2015

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 178, S. 349.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 349) to amend title XIX of the Social Security Act to empower individuals with disabilities to establish their own supplemental needs trusts.

There being no objection, the Senate proceeded to consider the bill.

Mrs. FISCHER. Mr. President, I ask unanimous consent that the bill be read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 349) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 349

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Special Needs Trust Fairness Act of 2015".

#### SEC. 2. FAIRNESS IN MEDICAID SUPPLEMENTAL NEEDS TRUSTS.

(a) IN GENERAL.—Section 1917(d)(4)(A) of the Social Security Act (42 U.S.C. 1396p(d)(4)(A)) is amended by inserting "the individual," after "for the benefit of such individual by".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to trusts established on or after the date of the enactment of this Act.

#### BORDER JOBS FOR VETERANS ACT OF 2015

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 196, S. 1603.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1603) to actively recruit members of the Armed Forces who are separating from military service to serve as Customs and Border Protection Officers.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Border Jobs for Veterans Act of 2015".*

#### SEC. 2. FINDINGS.

*Congress finds the following:*

(1) Customs and Border Protection Officers at United States ports of entry carry out critical law enforcement duties associated with screening foreign visitors, returning United States citizens, and imported cargo entering the United States.

(2) It is in the national interest for United States ports of entry to be adequately staffed with Customs and Border Protection Officers in a timely fashion, including meeting the congressionally funded staffing target of 23,775 officers for fiscal year 2015.

(3) An estimated 250,000 to 300,000 members of the Armed Forces separate from military service every year.

(4) Recruiting efforts and expedited hiring procedures should be undertaken to ensure that qualified individuals separating from military service are aware of, and partake in, opportunities to fill vacant Customs and Border Protection Officer positions.

#### SEC. 3. EXPEDITED HIRING OF APPROPRIATE SEPARATING SERVICE MEMBERS.

(a) IDENTIFICATION OF TRANSFERABLE QUALIFICATIONS.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Homeland Security, in conjunction with the Secretary of Defense, shall jointly identify Military Occupational Specialty Codes, Air Force Specialty Codes, Naval Enlisted Classifications and Officer Designators, and Coast Guard Competencies that are transferable to the requirements, qualifications, and duties assigned to Customs and Border Protection Officers.

(b) HIRING.—The Secretary of Homeland Security shall consider hiring qualified candidates with the Military Occupational Specialty Codes, Air Force Specialty Codes, Naval Enlisted Classifications and Officer Designators, and Coast Guard Competencies identified as transferable under subsection (a) who are eligible for veterans recruitment appointment authorized under section 4214 of title 38, United States Code.

#### SEC. 4. ESTABLISHING A PROGRAM FOR RECRUITING SERVICE MEMBERS SEPARATING FROM MILITARY SERVICE FOR CUSTOMS AND BORDER PROTECTION OFFICER VACANCIES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security, in conjunction with the Secretary of Defense, shall establish a program to actively recruit members of the Armed Forces who are separating from military service to serve as Customs and Border Protection Officers.

(b) ELEMENTS.—The program established under subsection (a) shall—

(1) include Customs and Border Protection Officer opportunities in relevant job assistance efforts under the Transition Assistance Program;

(2) place U.S. Customs and Border Protection officials or other relevant Department of Homeland Security officials at recruiting events and jobs fairs involving members of the Armed Forces who are separating from military service;

(3) provide opportunities for local U.S. Customs and Border Protection field offices to partner with military bases in the region;

(4) conduct outreach efforts to educate members of the Armed Forces with Military Occupational Specialty Codes, Air Force Specialty Codes, Naval Enlisted Classifications and Officer Designators, and Coast Guard Competencies that are transferable to the requirements, qualifications, and duties assigned to Customs and Border Protection Officers of available hiring opportunities to become Customs and Border Protection Officers;

(5) require the Secretary of Defense and the Secretary of Homeland Security to work cooperatively to identify shared activities and opportunities for reciprocity related to steps in hiring U.S. Customs and Border Patrol officers with the goal of minimizing the time required to hire qualified applicants;

(6) require the Secretary of Defense and the Secretary of Homeland Security to work coop-

eratively to ensure the streamlined interagency transfer of relevant background investigations and security clearances; and

(7) include such other elements as may be necessary to ensure that members of the Armed Forces who are separating from military service are aware of opportunities to fill vacant Customs and Border Protection Officer positions.

#### SEC. 5. REPORT TO CONGRESS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and not later than December 31 of each of the 3 successive years, the Secretary of Homeland Security and the Secretary of Defense shall jointly submit a report to the appropriate congressional committees that includes a description and assessment of the program established under section 4.

(b) CONTENT.—The report required under subsection (a) shall include—

(1) a detailed description of the program established under section 4, including—

(A) programmatic elements;

(B) goals associated with those elements; and

(C) a description of how the elements and goals will assist in meeting statutorily mandated staffing levels and agency hiring benchmarks;

(2) a detailed description of the program elements that have been implemented under section 4;

(3) a detailed summary of the actions taken under section 4 to implement such program elements;

(4) the number of separating service members made aware of Customs and Border Protection Officer vacancies;

(5) the Military Occupational Specialty Codes, Air Force Specialty Codes, Naval Enlisted Classifications and Officer Designators, and Coast Guard Competencies identified as transferable under section 3(a) and a rationale for such identifications;

(6) the number of Customs and Border Protection Officer vacancies filled with separating service members;

(7) the number of Customs and Border Protection Officer vacancies filled with separating service members under veterans recruitment appointment authorized under the section 4214 of title 38, United States Code; and

(8) the results of any evaluations or considerations of additional elements included or not included in the program established under section 4.

#### SEC. 6. RULES OF CONSTRUCTION.

*Nothing in this Act may be construed—*

(a) as superseding, altering, or amending existing Federal veterans' hiring preferences or Federal hiring authorities; or

(b) as authorizing the appropriation of additional amounts to carry out this Act.

Mrs. FISCHER. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be withdrawn; the Johnson substitute amendment be agreed to; the bill, as amended, be read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

The committee-reported substitute amendment was withdrawn.

The amendment (No. 2648) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Border Jobs for Veterans Act of 2015".*

#### SEC. 2. FINDINGS.

*Congress finds the following:*

(1) Customs and Border Protection Officers at United States ports of entry carry out critical law enforcement duties associated with screening foreign visitors, returning United States citizens, and imported cargo entering the United States.

(2) It is in the national interest for United States ports of entry to be adequately staffed with Customs and Border Protection Officers in a timely fashion, including meeting the congressionally funded staffing target of 23,775 officers for fiscal year 2015.

(3) An estimated 250,000 to 300,000 members of the Armed Forces separate from military service every year.

(4) Recruiting efforts and expedited hiring procedures must be enhanced to ensure that qualified individuals separating from military service are aware of, and partake in, opportunities to fill vacant Customs and Border Protection Officer positions.

### SEC. 3. EXPEDITED HIRING OF APPROPRIATE SEPARATING SERVICE MEMBERS.

(a) IDENTIFICATION OF TRANSFERABLE QUALIFICATIONS.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Homeland Security, in conjunction with the Secretary of Defense, shall identify Military Occupational Specialty Codes and Officer Branches, Air Force Specialty Codes, Naval Enlisted Classifications and Officer Designators, and Coast Guard Competencies that are transferable to the requirements, qualifications, and duties assigned to Customs and Border Protection Officers.

(b) HIRING.—The Secretary of Homeland Security shall consider hiring qualified candidates with the Military Occupational Specialty Codes, Air Force Specialty Codes, Naval Enlisted Classifications and Officer Designators, and Coast Guard Competencies identified as transferable under subsection (a) who are eligible for veterans recruitment appointment authorized under section 4214 of title 38, United States Code.

### SEC. 4. ENHANCEMENTS TO EXISTING PROGRAMS TO RECRUIT SERVICE MEMBERS SEPARATING FROM MILITARY SERVICE FOR CUSTOMS AND BORDER PROTECTION OFFICER VACANCIES.

(a) IN GENERAL.—The Secretary of Homeland Security, in conjunction with the Secretary of Defense, and acting through existing programs, authorities, and agreements, where applicable, shall enhance the efforts of the Department of Homeland Security to recruit members of the Armed Forces who are separating from military service to serve as Customs and Border Protection Officers.

(b) ELEMENTS.—The enhanced recruiting efforts under subsection (a) shall—

(1) include Customs and Border Protection Officer opportunities in relevant job assistance efforts under the Transition Assistance Program;

(2) place U.S. Customs and Border Protection officials or other relevant Department of Homeland Security officials at recruiting events and jobs fairs involving members of the Armed Forces who are separating from military service;

(3) provide opportunities for local U.S. Customs and Border Protection field offices to partner with military bases in the region;

(4) include outreach efforts to educate members of the Armed Forces with Military Occupational Specialty Codes and Officer Branches, Air Force Specialty Codes, Naval Enlisted Classifications and Officer Designators, and Coast Guard Competencies that are transferable to the requirements, qualifications, and duties assigned to Customs and Border Protection Officers of available hiring opportunities to become Customs and Border Protection Officers;

(5) require the Secretary of Homeland Security and the Secretary of Defense to work

cooperatively to identify shared activities and opportunities for reciprocity related to steps in hiring U.S. Customs and Border Patrol officers with the goal of minimizing the time required to hire qualified applicants;

(6) require the Secretary of Defense and the Secretary of Homeland Security to work cooperatively to ensure the streamlined interagency transfer of relevant background investigations and security clearances; and

(7) include such other elements as may be necessary to ensure that members of the Armed Forces who are separating from military service are aware of opportunities to fill vacant Customs and Border Protection Officer positions.

### SEC. 5. REPORT TO CONGRESS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and not later than December 31 of each of the 3 successive years, the Secretary of Homeland Security and the Secretary of Defense shall jointly submit a report to the appropriate congressional committees that includes a description and assessment of the efforts of the Department of Homeland Security to hire separating service members as Customs and Border Protection Officers.

(b) CONTENT.—The report required under subsection (a) shall include—

(1) a detailed description of the proposed efforts under section 4, including—

(A) elements of the enhanced recruiting efforts;

(B) goals associated with those elements; and

(C) a description of how the elements and goals will assist in meeting statutorily mandated staffing levels and agency hiring benchmarks;

(2) a detailed description of the efforts that have been undertaken under section 4;

(3) the number of separating service members made aware of Customs and Border Protection Officer vacancies;

(4) the Military Occupational Specialty Codes and Officer Branches, Air Force Specialty Codes, Naval Enlisted Classifications and Officer Designators, and Coast Guard Competencies identified as transferable under section 3(a) and a rationale for such identifications;

(5) the number of Customs and Border Protection Officer vacancies filled with separating service members; and

(6) the number of Customs and Border Protection Officer vacancies filled with separating service members under veterans recruitment appointment authorized under section 4214 of title 38, United States Code.

### SEC. 6. RULES OF CONSTRUCTION.

Nothing in this Act may be construed—

(a) to supersede, alter, or amend existing Federal veterans' hiring preferences or Federal hiring authorities; or

(b) to authorize the appropriation of additional amounts to carry out this Act.

The bill (S. 1603), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

### RELATIVE TO THE DEATH OF RICHARD SCHULTZ SCHWEIKER

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 250.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 250) relative to the death of Richard Schultz Schweiker, former

United States Senator for the Commonwealth of Pennsylvania.

There being no objection, the Senate proceeded to consider the resolution.

Mrs. FISCHER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 250) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

### ORDERS FOR THURSDAY, SEPTEMBER 10, 2015

Mrs. FISCHER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, September 10; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate resume consideration of H.J. Res. 61, with the time equally divided until 4:30 p.m.; further, that the debate be structured with alternating 1-hour blocks controlled by the two leaders or their designees until 4 p.m., and that the majority control the first hour, starting at 10 a.m.

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

### ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mrs. FISCHER. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the provisions of S. Res. 250 as a further mark of respect to the late Senator Richard Schweiker of Pennsylvania.

There being no objection, the Senate, at 8:37 p.m., adjourned until Thursday, September 10, 2015, at 9:30 a.m.

### NOMINATIONS

Executive nominations received by the Senate:

#### UNITED STATES SENTENCING COMMISSION

CHARLES R. BREYER, OF CALIFORNIA, TO BE A MEMBER OF THE UNITED STATES SENTENCING COMMISSION FOR A TERM EXPIRING OCTOBER 31, 2021. (REAPPOINTMENT)

RICHARD FRANKLIN BOULWARE, II, OF NEVADA, TO BE A MEMBER OF THE UNITED STATES SENTENCING COMMISSION FOR A TERM EXPIRING OCTOBER 31, 2019. VICE KETANJI BROWN JACKSON, TERM EXPIRED.

#### IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

#### To be major

KATHLEEN E. AKERS  
BRETT W. SMITH  
SAIPRASAD M. ZEMSE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624: