

at the point where we should be, not only continuing our efforts to get this bill passed but, once again, underscoring the need to eliminate sequestration, which is looming on the horizon. When we don't have the relief afforded by last year's temporary agreement, we will be dealing with numbers that will not allow our military to perform their basic mission of protecting the United States. Therefore, we have to start working on this issue of sequestration. As I suggested, it applies not only to the Department of Defense but to other agencies of the Federal Government.

Through the very careful leadership of the chairman, we were able to come up with a working and I think workable compromise with respect to Russian engines without surrendering the basic principle that the chairman had enunciated that we should not be relying on Russian engines to send our technology into space.

As the chairman also indicated, there are several issues that we could not reach consensus on and which deserve not only a vote but in many cases deserve passage.

Senator SHAHEEN has worked tirelessly. I have never seen a colleague work so intensely, so thoughtfully, so professionally, literally going from office to office asking for support for the Afghan interpreters—individuals who have already been targeted in many cases because of their help to the United States. If we don't have this legislation passed, then not only will we send a terrible message to these individuals who have served with us and sacrificed along with us, but also to succeeding generations who will not come to our aid because they are afraid of the consequences. So not only looking back at justice and equity for people who helped us but looking forward to being able to operate in not just Afghanistan but other areas of the world, I think it was necessary to not only bring up the Shaheen amendment but to pass it.

As the chairman pointed out, Senator GILLIBRAND has a very important amendment with respect to sexual assault in the military. She has done remarkable work with respect to the Uniform Code of Military Justice. She has worked very closely with many colleagues.

I must also thank Senator CLAIRE McCASKILL for her extraordinary efforts. There are many provisions in this bill that Senator GILLIBRAND has included, but there is one very important to her about the role of the commander. That issue deserves a debate. Like the chairman, I do not agree with the conclusion, but I certainly believe that she should have had a vote.

Senator MURRAY also came here with a very important amendment, cryopreservation for soldiers. As they go overseas and they do want to have a family, there is the risk in battle which could prevent that, and this is a procedure which would allow them not

only to serve their country but in the event of them being wounded, they could still have a family. Again, many people have different views on this particular amendment, but I believe a vote would have been in order.

These are three issues, but these issues cannot undercut the incredible reforms that the chairman inspired with the bill and the thoughtful debate and ultimately the conclusion—strong bipartisan support for this initiative.

I want to thank the staff because we could not have done this without them. I want to particularly thank Chris Brose and all of his colleagues on the Republican side. They did a remarkable job.

I want to individually thank my staff: Jody Bennett, Carolyn Chuhta, Jon Clark, Jonathan Epstein, Jon Green, Creighton Greene, Ozge Guzelsu, Mike Kuiken, Gary Leeling, Kirk McConnell, Maggie McNamara, Mike Noblet, John Quirk, Arun Seraphin, and my staff director, Elizabeth King.

Let me thank the floor staff too. Without Gary and Laura and others on the floor, we would not have gotten to a conclusion.

With that Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I thank my friend from Rhode Island and look forward to the conference and, for the 54th straight year, completing a bill where the Congress of the United States sends to the President and the President signs into law the National Defense Authorization Act.

I don't know of a greater responsibility that we have, and, despite our differences and issues, I think that was why the vote was as overwhelming as it was today. Unfortunately, the two Senators from Idaho were uninformed on the importance of this issue.

Mr. President, I yield the floor.

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

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

COMMERCE-JUSTICE-SCIENCE APPROPRIATIONS BILL

Mr. PERDUE. Mr. President, I rise today to speak very briefly to highlight my opposition to the cloture motion on the appropriations bill for the Department of Commerce, Department of Justice, and the Science agencies and to discuss an issue of critical importance to my home State of Georgia and what I think is a direct abuse of what the Founders intended for Senate debate.

For over 20 years, Alabama, Florida, Georgia, and the Army Corps of Engi-

neers have been engaged in various lawsuits over water rights among those three States. Georgia has two reservoirs in question—Lake Lanier and Lake Allatoona—that are operated by the Corps, that provide drinking water for Metro Atlanta, and that provide water downstream for the Chattahoochee, Flint, Coosa, and Tallapoosa Rivers. These river basins also provide water to South Georgia and parts of Alabama and Florida.

Currently, litigation is pending in the U.S. Supreme Court, the Federal DC district court, and the U.S. District Court for the Northern District of Georgia. Negotiations are also ongoing between the State governments on this very topic, and I believe they are closer to a solution right now than we have ever been.

Clearly, this is an issue that should be left to the States to settle through negotiation and, if needed, litigation. But now another attempt is being made by some in the Senate to surreptitiously influence the courts through language included in the report that accompanies this CJS bill.

We will vote on that bill sometime this afternoon. I strongly oppose this bill. This is the business of the States and should not be resolved or influenced in this manner. Let me be clear. It is not this body's place to try and tip the scales in any way on this matter.

Furthermore, we have already had this fight. This same language was inserted last year during debate over the omnibus spending bill. Then it was removed after further examination and explanation was given to leaders in both Chambers over its purpose. Let me reiterate that. When the leaders of this body and the leader in the House saw what was really happening in this language, they both independently removed the language. It was removed then, and nothing has changed to merit having this debate again in this Senate this year.

Multiple lawsuits and negotiations between the States are ongoing. There is nothing unusual about that. Any attempt to create a role for Congress during the appropriations process on this issue would set a dangerous precedent and should alarm every Senator who cares about the rights and integrity of the States. Injecting Congress into this would give an unjust advantage to other States involved, stripping away any incentive for them to negotiate in good faith with our State of Georgia.

Furthermore, this congressional involvement would establish a dangerous precedent for any State involved in water resource negotiations. The negotiations on water rights in the West make these pale in comparison. That is not a role our Founders intended for Congress to play, and inserting the Federal Government into another issue where it doesn't belong would be emblematic of why folks back home are so fed up with the dysfunction in Washington.

For these reasons and others, as I will discuss throughout this week as

we debate this bill, I will definitely vote no on advancing to the CJS appropriations bill.

I yield back and note the whip is in the Chamber.

The PRESIDING OFFICER. The majority whip.

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. CORNYN. Mr. President, the Senate is demonstrating its serious commitment to supporting our military, and it is a good thing. In passing the Defense authorization bill, a bipartisan piece of legislation, we authorized funding for training and for the ever-evolving threats our troops are meeting around the world. It will also give our men and women in uniform the most up-to-date equipment, including newer and more capable aircraft and vehicles.

Fortunately, the bill also authorized needed improvements at military facilities, such as construction projects in my State at Fort Hood, Joint Base San Antonio, the Red River Army Depot, and Ellington Field, and provided a much needed and well-deserved pay raise for our troops. I am glad we were able to get through this process, get this bill done, making sure our military is ready to face any potential threat around the world.

MASS SHOOTING IN ORLANDO

Mr. CORNYN. Mr. President, I know the country is in shock and still trying to evaluate the terrorist attack in Orlando as we continue to learn from the FBI's investigation. The attack killed almost 50 people and of course left dozens injured.

According to the latest reports, one of the victims was Frank Escalante from Weslaco, TX. My heart goes out to Frank, his family and friends, and all those others who lost loved ones early Sunday morning and to those living with the wounds they sustained in that terrible attack. With this act of violence and hatred, Orlando sadly joins a growing list of American cities and cities around the world changed forever by radical Islamic extremism.

The jihadist, like those in San Bernardino before him, declared his allegiance to the Islamic State, and like the two Boston Marathon bombers, he was previously investigated by the FBI for connections to terrorists or known terrorist groups that carried out attacks similar to the gruesome attacks in Paris last November. Like those terrorists, the terrorist in Orlando targeted hundreds of unarmed civilians, and ISIS has used the Internet to urge lone wolves to imitate these types of attacks. In other words, not only are we concerned about people in the Middle East who have pledged allegiance to ISIS coming to the United States, we are concerned about Americans who are traveling from the United States, going there and training, and then

coming back home. But the worst, and perhaps the most difficult of all to deal with, are American citizens, such as this shooter, who are radicalized in place, and of course this is the biggest challenge for the FBI. We must now come together and not only mourn and grieve those lives lost, but we need to also try and make a difference. It is time to act.

The Orlando attack was not just a random act of violence. It was a calculated act of terror. By aiming his gun at innocent civilians, this jihadist opened fire on our freedoms, our way of life, and the bedrock principles that make us a diverse and vibrant democracy. We have to take these threats seriously and do everything we can to counter the ideology that provides a threat to our security, both within and without our borders.

We also need an honest conversation about how to move forward on legislation that might have the effect of preventing attacks like this in the future. Some of those conversations are already happening, and I hope we will not stop until we make some progress. One place we can start is with a measure I introduced last year that would prevent known or suspected terrorists from purchasing firearms in the first place. It would not just block someone from buying a gun because of mere suspicion but would set up a process to actually detain—if based on evidence they are deemed to be a threat to society—and prevent them from not only purchasing a firearm but put them behind bars where they can't be a danger to other people. If potential terrorists are dangerous enough not to be allowed to own a gun, then I think they are dangerous enough to be taken off the streets. We shouldn't forget that a person who feels compelled to commit a terrorist act will not be stopped by just being unable to legally purchase a firearm. The 9/11 attackers used box cutters and airplanes. The Boston Marathon bombers used homemade explosives, and the terrorists in Paris and Brussels used illegal firearms and suicide vests.

In the case of the Orlando attacker, it does not appear he was on a watch list at the time he purchased the weapons he used to carry out this horrific attack. In fact, the FBI had twice cleared him of being an active terror threat. We need to be clear-eyed about this if we are actually serious about stopping events like this in the future.

I believe we do need to go further and do more to arm our law enforcement officers with the tools they need in order to counter terrorists and defend communities. FBI Director James Comey has outlined—with great clarity and specificity—how great a threat we face from extremists within our borders, and he made the point that the FBI has opened investigations in all of their FBI field offices around the country; that is, investigations of people being radicalized in place and doing the terrible deed that the shooter in Orlando did early Sunday morning.

If the FBI Director says this is an urgent need, we ought to act. Too often the FBI and other local law enforcement officers have to operate with one hand tied behind their back because they can't access key pieces of information like encrypted data. We saw that in an attempted terrorist attack in Garland, TX, last year, on the day of the ISIS-inspired attack just northeast of Dallas. Before the two jihadists—unfortunately traveling from Phoenix—arrived in Garland, they exchanged more than 100 different messages with terrorists overseas. Unfortunately, the FBI still doesn't have access to those communications because they are encrypted. That means law enforcement could still be missing critical information that could uncover future plots or identify more terrorists, both abroad and here at home.

The Garland case is not unique. The FBI is routinely hamstrung by outdated policies that make their job of protecting the homeland more difficult. We saw another example of that in San Bernardino, CA. We have to address this major policy gap. I hope the Senate has an opportunity to consider an amendment I filed to a bill that would update the Electronic Communications Privacy Act. It would help FBI agents get access to critical information faster to prevent terrorist attacks. The FBI Director has made it clear that this is his top legislative priority, and it is also supported by President Obama and his administration.

I believe it is our duty, now more than ever, to do something about it and make sure the FBI has critical counterterrorism tools to be able to identify potential threats before they commit horrific acts of violence like we saw in Orlando. It is clear the threats are on our doorsteps, and we should be willing to give those on the front lines of the counterterrorism fight faster access to critical information so they can identify terrorists and thwart those attacks. I am not talking about content of communications—at least initially. We know under the Fourth Amendment to the U.S. Constitution that law enforcement has to demonstrate probable cause to get access to content of online communication, but there is a whole host of information that identifies email addresses, Internet Protocol addresses, and the like, that could help the FBI connect the dots. If we are expecting the FBI to connect the dots in terrorist attacks and prevent other tragedies such as that in Orlando, then we ought to give them access to all the dots.

I hope this week, as we debate what the appropriate response is to dealing with these acts of mass terror, we look at the legislation I introduced last December that would notify the FBI in the event someone on a watch list attempts to purchase a firearm and then give the FBI a chance, if the evidence warrants it, to detain that individual and deny them access to the firearm. Moreover, I hope we will also provide