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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable RAND PAUL, a Senator from the Commonwealth of Kentucky.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Loving and Ever-Present God, we thank You for being our helper in the present and our hope for the future. We trust You to direct our steps with Your providential power. Forgive our slowness to understand and our haste to question Your purposes.

Lord, guide our lawmakers. Where there is perplexity, provide clarity. Where there is sickness, bring healing. Where there is doubt, give faith. Where there is despair, bestow hope. Hasten the day when the Earth will be filled with Your glory as the waters cover the sea.

We pray in Your loving Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The assistant bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 13, 2018.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RAND PAUL, a Senator from the Commonwealth of Kentucky, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. PAUL thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

FARM BILL

Mr. MCCONNELL. Mr. President, my colleagues and I on the Agriculture Committee will mark up the farm bill today. It is a landmark piece of legislation that will benefit farmers and communities throughout our country. I will have much more to say on the subject in the days and weeks ahead, particularly when it arrives here on the floor.

I am particularly excited that the legislation being considered today includes provisions from the Hemp Farming Act of 2018, of which the occupant of the Chair is an original cosponsor and which I introduced earlier this year. This provision will empower farmers in Kentucky and other States to fully realize the potential of industrial hemp.

For now, I just want to thank Chairman ROBERTS for his leadership and congratulate him and all of our colleagues on the committee for their bipartisan collaboration and the impressive bill it has produced.

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. MCCONNELL. On another matter, Mr. President, last week, Secretary of Defense Mattis met with our NATO allies in Brussels. He offered an important reminder: ''Threats to our collective security have not waned.'' In other words, it remains a challenging time to defend our Nation, our interests, and our values.

Secretary Mattis has been consistent. Our new national defense strategy makes this clear. Though we face a constant threat from international terrorism, our Nation must also enhance our capabilities for a renewed era of international competition among great powers.

He, along with our senior military commanders, have shared this message with Congress time and again. They have detailed our servicemembers' pressing needs and explained the importance of steady resources in the face of evolving threats. We have heard them loud and clear.

Earlier this year, our bipartisan spending agreement eliminated harmful, arbitrary limits on defense spending and delivered the largest year-on-year increase in funding for our military in 15 years. Now it is time to build on this progress and pass our 58th annual Defense authorization bill.

This year's NDAA is rightfully named for our friend and colleague JOHN MCCAIN. It would authorize $716 billion to equip and train America's 21st century forces to meet and overcome today's challenges.

As the Iranian regime continues its aggressive efforts to expand its sphere of influence throughout the Middle East, this bill will empower our forces to support our strategic partnerships in the region.

As China continues testing the boundaries of its power in the Pacific region, the NDAA will extend the authority of the Indo-Pacific maritime security initiative and extend the reach and readiness of naval and air forces within the U.S. Pacific Command.

As Russia persists in its efforts to destabilize western democracies and sow doubt within NATO, the bill before us would enhance multilateral security

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

cooperation throughout the alliance and give U.S. Cyber Command the resources to disrupt, deter, and defeat cyber aggression.

The legislation before us sends a clear message to our men and women in uniform. It tells them that we have their backs. After years of uncertain funding and arbitrary funding limits, we have their backs. In the face of diverse and evolving threats, we have their backs.

When I vote, I will do it to tell the brave Kentuckians serving at home and abroad that we have their backs. I hope that each of our colleagues will do the same.

This bill was crafted in a thorough, bipartisan committee process and was modified to include more than 40 amendments. I look forward to concluding our consideration and passing this NDAA very soon.

TAX REFORM

Mr. MCCONNELL. Mr. President, on another matter, there has been no shortage of recent reporting on the economic progress that is flooding across our country. Take a New York Times headline from earlier this month: ''We Ran Out of Words to Describe How Good the Jobs Numbers Are.''

Let me say that again. This is from the New York Times: ''We Ran Out of Words to Describe How Good the Jobs Numbers Are.''

This is from a Wall Street Journal editorial:

The U.S. economy is picking up speed, and it's paying dividends in an expanding job market. . . . President Trump's tax reform and deregulation agenda appears to be working.

And here is a welcome development for America's parents:

Workers age 25 to 34 made up 1.04 million of the 2.58 million jobs added over the last year. Job and wage growth may finally be inducing young people to move out of their parents' basements.

More jobs, more wage growth, more opportunities for middle-class Americans—it is good news, plain and simple.

Well, apparently, it is not so simple for our friends across the aisle. While Republicans and the rest of the country are cheering on this new prosperity for working families, our Democratic friends are trying to pretend that the facts don't matter and things aren't actually getting better.

Here is how the leader of the House Democrats, the distinguished Congresswoman from San Francisco, tried to sarcastically brush away the facts a few days ago:

Hip, hip, hooray, unemployment is down! What does that mean to me?

I couldn't make this up. ''Hip, hip, hooray,'' she scoffs. Unemployment is at an 18-year low, the fewest Americans on unemployment insurance since 1973, and Democratic leadership can't quite fathom why this would matter for American families and small business owners. I know plenty of families and job creators in Kentucky who would be happy to explain.

Texas Roadhouse is a restaurant chain based in Louisville that employs more than 2,500 Kentuckians. They shared recently that tax reform will allow them to invest in their company, customers, and employees. Plus, this economic climate has them planning to open 30—30—new locations across the country next year. Maybe the new cooks and wait staff at 30 new restaurants could explain to the House Democratic leader why a falling unemployment rate is a victory for American families.

Just today, Glier's Meats in Covington, KY, is sharing similar good news. Tax reform is enabling this small business, famous for its German-inspired sausage, to make life better for its nearly 30 employees and plant deeper roots in Kenton County. Since the new law passed in December, Glier's has been able to make capital investments, including new machinery, which is critical to the daily operations of the business. They have been able to resume offering comprehensive health benefits, which it had to give up 6 years ago as costs soared under ObamaCare. They have been able to significantly increase employees' wages, and they are on track to hire five new workers in the coming months.

Our Kentucky State treasurer, Allison Ball, had it just right. She said in a recent column: ''Kentuckians have immediately benefited from federal tax reform.''

These immediate benefits are only the beginning. More and more stories like these are being written all the time as tax reform, regulatory reform, and the rest of Republicans' opportunity agenda continue helping American workers and job creators.

There are transformative new equipment purchases for Main Street small businesses, pay raises for hard-working middle-class employees, and new job openings all over the country so that new workers who are just starting out have more opportunities, and midcareer professionals who have been on the sidelines have the opportunity to clock back in.

Unlike leading Democrats, apparently, Republicans don't need it explained to us why this news matters to workers and families. It is exactly what we hoped to achieve. It is exactly the result that our policies were meant to produce.

The distinction could not be more clear. On one side of the aisle are those who mock multithousand-dollar tax reform bonuses as ''crumbs,'' who can't grasp why an 18-year low in employment would matter to American families, and on the other side of the aisle are those of us who have helped make it happen.

MEASURE PLACED ON THE CALENDAR—H.R. 5895

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk that is due for a second reading.

The ACTING PRESIDENT pro tempore. The leader is correct.

The clerk will read the bill by title for the second time.

The assistant bill clerk read as follows:

A bill (H.R. 5895) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes.

Mr. MCCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar.

Mr. MCCONNELL. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

TRUMP-KIM SUMMIT

Mr. KENNEDY. Mr. President, I rise today briefly to thank President Trump. I want to thank him for our summit with North Korea in Singapore.

Only Nixon could go to China, and I think only Trump could go to North Korea. I understand that he went to Singapore, but you get the point. It is a beginning. It is a baby step, but it was an important step, and I want to thank President Trump for taking it.

Certainly, there is nothing in the history of Kim Jong Un or his father or his grandfather that would cause us to be optimistic. So I think the President and all Americans are entering into this discourse with eyes wide open.

We also know that Kim Jong Un is not coming to the table out of the goodness of his heart. President Trump and the U.S. Congress have hit him with sanctions, and we have hit him so hard that he is coughing up bones. I hate to do that to the people of North Korea, but we had no choice.

I think Kim Jong Un is coming to the table also because he understands that, for the first time in a long time, America means what it says and a military option is on the table. He saw what happened to Assad in Syria, not once but twice.

So we enter into this discourse with North Korea, as I said, with eyes wide open. An old comedian once said that sincerity is everything. Fake that, and you got it made.

Well, we don't know whether Kim Jong Un is sincere yet. We will probably find out when the President asks

for authority to send in inspectors from America to inventory Kim Jong Un's nuclear arsenal, his nuclear technology, and his missile technology. If the answer is ''no, we can't do that,'' or if Kim Jong Un takes evasive measures to try to hide his weaponry, then, we will know, but we will have tried.

I want to thank President Trump today on behalf of all Americans who believe in peace for the successful start of what I hope will be a successful summit and relationship with North Korea.

Thank you, President Trump.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

TRUMP-KIM SUMMIT

Mr. SCHUMER. Mr. President, talks between President Trump and Chairman Kim in Singapore, as we all know, concluded yesterday. Certainly, we are all heartened to see the two leaders engage in a dialogue. We feel much better when both President Trump and Chairman Kim are talking rather than trading insults and military threats. We all want this diplomacy to succeed.

But now that the dust is settling after the Singapore summit, three things are clear. No. 1, Chairman Kim achieved far more than President Trump did. No. 2, our adversaries, Russia and China, have gained while our allies, like South Korea and Japan, have lost footing and some degree of faith in America's reliability. No. 3, the summit was much more show than substance—what the Texans call ''all cattle and no hat.''

Let me elaborate. In past agreements with North Korea, the United States won far stronger language on denuclearization, and we won specific measures to ensure that North Korea was taking steps in that direction. Of course, even with the stronger language, the North Korean regime repeatedly backtracked from previous American-led agreements.

The joint statement in Singapore includes none of the concrete details that could make an ambitious goal like ''complete denuclearization'' close to meaningful. Chairman Kim did not even mention his ambiguous comment to denuclearize when he returned home to North Korea. It was absent in all the North Korean press. Often you can tell how a leader feels from what they tell their people, not what they say publicly to the world. In this case, denuclearization was not even mentioned.

Still, President Trump tweeted this morning ''there is no longer a nuclear threat from North Korea.'' What planet is the President on? Saying it doesn't make it so. North Korea still has nuclear weapons. It still has ICBMs. It still has the United States in danger. Somehow, President Trump thinks that when he says something, it becomes reality—if it were only that easy, only that simple. That is what stood in the way of making this meeting more meaningful.

It is not show. It is not verbiage. It is action. President Trump, in his actions, did things that President Kim wanted. I don't know what President Kim has done that we want, other than show up, which was a benefit for him.

President Trump agreed to freeze joint military exercises with South Korea, and he called them ''provocations''—right out of the North Korean propaganda playbook—without the knowledge of South Korea or our own military. I guarantee that our military men and women were squirming when President Trump called our joint military exercises ''provocations.''

These exercises and others that the military conduct around the world are designed to ensure that our servicemembers are fully trained and ready for action. They are not a provocation, President Trump.

Adopting the North Korean view on American military exercises, which President Trump did, is nothing short of a public relations coup for Chairman Kim. It seems that President Trump didn't even think it through or consult with anybody. You cannot do this stuff on the fly. Saying that the danger from North Korea is over doesn't make it so. Saying that these are provocations makes things worse. You cannot do it on the fly. You need serious thought because it has consequences. If Chairman Kim walked away from these negotiations thinking that it is easy to deal with President Trump, Kim might think: I get what I want, and I don't have to give him anything. That doesn't bode well for the future.

In the final tabulation, after all the pomp and circumstance has faded, it seems clear that Chairman Kim walked away the victor, unfortunately. What President Trump achieved on behalf of the United States is unclear and difficult to certify. What Chairman Kim achieved for North Korea is tangible and lasting.

No doubt, our Republican friends would be up in arms if a Democratic President walked away from a summit with so little to show for it. But, of course, while we haven't heard full-throated praise from our Republican side—their reactions have been kind of lukewarm—it is not close to the criticism they launched at President Obama in similar situations.

In the weeks and months ahead, President Trump and his team need to focus on securing real and enduring concessions from the North Koreans on plutonium and uranium enrichment, on the destruction of nuclear infrastructure, on an ''anywhere, anytime'' inspections regime, and the unambiguous end of missile testing.

These are the things that make a strong nuclear agreement. Unfortunately, the Singapore summit produced none of them and talked about none of them. We hope that in the future that changes for the safety of America, but, again, the emphasis on showmanship as opposed to substance will not serve America or the prospects for peace well in the long run.

On one final point, congressional oversight and involvement is critical to this process. Secretary Pompeo needs to make clear what the process moving forward includes and what, if any, additional agreements were made in Singapore. Congress needs to learn the terms for any sanctions relief, whether U.S. troop presence in Korea was discussed and whether any agreement will include a halt to North Korea's key missile programs.

HEALTHCARE

Mr. SCHUMER. Now, Mr. President, on healthcare. Even as North Korea dominates the headlines, Democrats are going to continue to focus on the No. 1 issue on the minds of most Americans: healthcare.

Insurers in State after State are announcing double-digit premium increases and blaming Republican healthcare policies for the increase. Now, amazingly, the Trump administration is refusing to defend the constitutionality of protections for Americans with preexisting conditions, turning its back on the most popular and most humane advancement in our healthcare system.

Imagine the return of the days when a mother with a child who has cancer can no longer find affordable care for her daughter and the days when hard-working Americans who fall on hard times are made to suffer and denied healthcare coverage, precisely because they need it so desperately. How wrong, how backward, and how immoral that system was, and that is where President Trump wants to take us again.

So we Democrats are going to spend the next few months, including the August work period, focusing on the critical issue of the Nation's healthcare system. We will be trying to get premiums down, costs down, and better healthcare, not the deterioration we have seen under President Trump and the Republican congressional leadership.

We are going to focus on all that our Republican friends have done to drive up the costs of healthcare on average Americans and what we should be doing to reverse that awful trend.

DEPARTMENT OF JUSTICE IG REPORT

Mr. SCHUMER. Finally, there is the IG report. Tomorrow, the inspector general of the Justice Department will release a report about the Department's handling of an investigation of Secretary Clinton in 2016. We look forward to the report and learning what it has to say.

Now, we hope our Republican colleagues don't take the cynical track of trying to spin the report's contents to somehow sully the completely separate and ongoing investigation into Putin's meddling in the 2016 election. The DOJ IG report is likely to focus on the conduct of the Justice Department and the FBI in handling the Clinton email investigation in the runup to the 2016 election. Mueller was not appointed at that point. He wasn't a gleam in anyone's eye. So what he is doing is totally independent of what happened here.

Furthermore, when the President says ''witch hunt'' and somehow blames Democrats for this, well, whatever Comey did hurt Hillary Clinton, and he didn't do the same thing to President Trump, which would have hurt him. He released the details of Hillary's investigation—many of us thought he did that wrongly—but didn't release any details of the investigation into possible collusion of the Trump campaign with the Russians.

So this idea that somehow what Comey did and what Mueller is doing was designed to hurt President Trump and Republicans at Democrats' behest is like ''Alice in Wonderland''—it is the opposite of the facts. The investigation into Putin's meddling in our elections and any potential associations between Russian intelligence and the Trump campaign is an entirely separate investigation from what happened with Hillary Clinton.

It would be erroneous to try to use the information in the IG report to discredit the special counsel, but we hear rumblings that some of these very partisan Republicans, led by Chairman NUNES, may try to go down that road. We hope they won't be so cynical or so willing to twist the facts inside out and turn truth on its head, all for political gain.

It is crucial—critical—that Special Counsel Mueller's investigation get to the bottom of what happened and who was involved in Russia's efforts to influence the outcome of the 2016 election.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COTTON). The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2019

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 5515, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 5515) to authorize appropriations for fiscal year 2019 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:

Inhofe/McCain modified amendment No. 2282, in the nature of a substitute.

McConnell (for Toomey) amendment No. 2700 (to amendment No. 2282), to require congressional review of certain regulations issued by the Committee on Foreign Investment in the United States.

Reed/Warren amendment No. 2756 (to amendment No. 2700), to require the authorization of appropriation of amounts for the development of new or modified nuclear weapons.

Lee amendment No. 2366 (to the language proposed to be stricken by amendment No. 2282), to clarify that an authorization to use military force, a declaration of war, or any similar authority does not authorize the detention without charge or trial of a citizen or lawful permanent resident of the United States.

Reed amendment No. 2842 (to amendment No. 2366), to require the authorization of appropriation of amounts for the development of new or modified nuclear weapons.

The PRESIDING OFFICER. The Senator from Utah.

SUICIDE EPIDEMIC

Mr. HATCH. Mr. President, I rise to address a public health issue that has left in its wake a trail of tragedy and shattered life. The suicide epidemic has touched all sectors of our society, but the problem is particularly acute among LGBT who have experienced bullying and discrimination at every turn. In the most devastating cases, these teenagers even face estrangement from their own families. That is why today, in honor of Pride Month, I wish to devote a significant portion of my remarks to them—my young friends in the LGBT community.

The prevalence of suicide, especially among LGBT teens, is a serious problem that requires national attention. No one should ever feel less because of their gender identity or sexual orientation. LGBT youth deserve our unwavering love and support. They deserve our validation and the assurance that not only is there a place for them in this society but that it is far better off because of them.

These young people need us, and we desperately need them. We need their light to illuminate the richness and diversity of God's creations. We need the grace, beauty, and brilliance they bring to the world. That is why, as we commemorate Pride Month, my message today is one of love for my LGBT brothers and sisters. It is also a call for action to Americans of all political stripes.

Regardless of where you stand on the cultural issues of the day—whether you are a religious conservative, a secular liberal, or somewhere in between—we all have a special duty to each other. That duty is to treat one another with dignity and respect. It is not simply to tolerate but to love.

The first tenet of my faith is to love one another. The same Man who taught this principle also lived it by His example. In an era characterized by rigid social divisions, He broke down barriers propped up by centuries of tradition and cultural belief. In His teachings, He made no distinction between man or woman, Jew or Gentile, sinner or saint but invited all to come to Him—all. He saw beyond the arbitrary differences of group identity to the inherent worth of the individual. He taught that we were all equal because we are all children of the same God and partakers of the same human condition. This Man loved radically, and He challenged all of us to do the same.

If there were ever a time to show our LGBT friends just how much we love them, it is now. In a world where millions suffer in silence, we owe it to each other to love loudly. That is why I am a strong supporter of Utah's Love Loud Festival, among many other efforts to combat suicide and improve mental health in the LGBT community, which is afflicted by these problems. These young men and women deserve to feel loved, cared for, and accepted for who they are. I don't think they chose to be who they are. They are born to be who they are, and we ought to understand that. They deserve to know they belong and that our society is stronger because of them.

Ensuring that our LGBT friends feel loved and accepted is not a political issue; we all have a stake in this. We all have family or loved ones who have felt marginalized in one way or another because of gender identity or sexual orientation, and we need to be there for them.

On a much broader scale, we need to be there for anyone struggling with feelings of isolation, especially those experiencing suicidal thoughts. By no means is suicide a problem exclusive to the LGBT community. In one way or another, this public health crisis has affected all Americans, regardless of color, class, or creed.

Over the last two decades, the suicide epidemic has taken tens of thousands of lives, with suicide rates rising by as much as 30 percent across the country. The severity of this public health crisis was thrown into sharp relief last week with the tragic deaths of Kate Spade and Anthony Bourdain.

In my home State of Utah, the statistics are particularly alarming. Every 14 hours, a Utahn dies by suicide, resulting in an average of 630 deaths each year. The problem is so acute that Utah now has the fifth highest suicide rate in the Nation.

In addressing this topic today, my heart is both heavy and hopeful—heavy

because suicide has already taken so many lives; hopeful because I believe we are on the cusp of a major legislative breakthrough that could turn the tide in the campaign against this epidemic.

As some of you may recall, I joined Senator JOE DONNELLY last year in introducing the National Suicide Hotline Improvement Act—a bipartisan proposal that makes it easier for Americans of all ages to get the help and treatment they need when they are experiencing suicidal thoughts.

Our bill requires the FCC to recommend an easy-to-remember, three-digit number for the national suicide prevention hotline. I believe that by making the National Suicide Prevention Lifeline system more user-friendly and accessible, we can save thousands of lives by helping people find the help they need when they need it most.

The Senate passed our bill with overwhelming bipartisan support in November. Now it is time for the House to do its part. While I am pleased to learn that our legislation is slowly making its way through the House committee process, I call today for more urgent action. Every minute we wait, we leave hundreds of Americans helpless who are struggling with suicidal thoughts. There are literally lives on the line here, and leaving them on hold is not an option. That is why I call on my colleagues in the House to pass, without further delay, our suicide hotline bill. By doing so, we can prevent countless tragedies and can help thousands of men and women get the help they so desperately need.

Before I conclude, I wish to express my heartfelt belief that we can win the battle against suicide, but I would also remind my colleagues that no amount of legislation can fix this problem. No public policy is a panacea for an issue as deep and intractable as the suicide epidemic.

Beyond legislation, however, there are steps we can take to create a society that is kinder, more civil and understanding—a society, in other words, where suicide is less of a problem. It doesn't take a social scientist to tell you that the coarsening of our culture has negatively affected our communities. As the political discourse breaks down, so, too, do the social ties that bind us together. The gradual dissolution of civil society has led to unprecedented levels of loneliness, depression, and despair. In this sense, suicide is merely a symptom of a much larger problem.

Yet, even though there is hopelessness, there is still reason to hope. I firmly believe that by restoring civility to its proper place in our society, we can fight the despair that has seized hold of so many. Civility starts with the words we use. Whether in person or online, we can be softer in our language, kinder in our actions, and stronger in our love. We can combat coarseness with compassion and choose empathy instead of anger.

On an individual level, reclaiming civility entails a fundamental shift in how we view our political opponents. No longer should we see each other as adversaries in a zero-sum game but as allies in preserving the American experiment for future generations.

Restoring civility and respect to the public square cannot be achieved through legislation; ultimately, this is a change that must take place in the heart of every American. Here in the Senate, we can lead by example, which is why I urge all of my colleagues to join me today in recommitting to civility and working to bring people together to help solve these very serious problems that are keeping us apart and hurting our society. There are people out there who really suffer, who don't choose to be the way they are, and we have to be intelligent enough and compassionate enough to help them. So I hope that we will, and I hope that our wonderful country will take these things to heart.

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. MORAN. 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. MORAN. Mr. President, I want to talk about a couple of issues that are wrapped up in the NDAA.

First of all, there is a National Guard issue.

As we all know, the men and women who serve our Nation in the Armed Forces are among the absolute best of us, and I thank the Presiding Officer for his service. When the Presiding Officer and his fellow citizens volunteered to serve, they did so by committing themselves to defending our families, our Nation, and our way of life. Through their service and sacrifice, they earn our respect and our honor. As a grateful nation, we strive to demonstrate that respect to them. Certainly, we should demonstrate our appreciation for our military on Memorial Day and Veterans Day, but, every day, we understand that we can never truly repay the sacrifice that many Americans have made—the ultimate sacrifice.

One of the customary and powerful demonstrations is when we pay our respects through a display of military honors during a servicemember's funeral. These honors include an honor detail that presents an American flag to the deceased's family and includes a bugler, who ceremoniously plays ''Taps'' and puts a lump in everyone's throat and tears in our eyes. Unfortunately, an Army audit found that in 2014, 88 deserving veterans' funerals did not receive those military honors as they should have. One service without its deserved honors is one too many.

Even more disappointing, based upon a recommendation from that audit, we learned that the National Guard Bureau has a plan now to eliminate in eight States the coordinator position for the military funeral honors. The National Guard Bureau is claiming a marginal cost savings as the excuse to eliminate these coordinator positions; however, a cost savings is an unacceptable justification, especially if losing these positions leads to more servicemembers not receiving military honors as our final demonstration of respect for their service.

The coordinator position is a vital link between the military and the veteran's surviving family. The coordinator's primary responsibility is to determine the eligibility and appropriate honors for deceased veterans. The coordinator also trains servicemembers who perform military honors, coordinates with units and veterans service organizations within the State, and provides immediate attention to families who are in need of assistance.

Common sense would tell one that if military honors are not being rendered when they should be, as this audit found, the NGB—the National Guard Bureau—should do everything possible to make certain to reverse that terrible outcome. Instead, it is seeking to eliminate the positions that are responsible for handling the care and coordination of military honors.

Even if the National Guard Bureau reverses course, the Military Honors Program deserves protection and preservation for all of those who served. Therefore, I draw attention to an amendment I have offered in this year's NDAA. Amendment No. 2575 would protect the Military Funeral Honors Program in the Army National Guard. This is a bipartisan amendment that has been cosponsored by Senators MANCHIN, CRAPO, and CAPITO. If passed, my amendment would ensure that each State would maintain at least one military funeral honors coordinator, which we hope would reduce the chances of these honors being skipped in the future.

I urge my colleagues and the committee to support amendment No. 2575 for inclusion in the managers' package and allow this amendment to move swiftly in the Senate to help fulfill our promises to our veterans and make certain they receive the appropriate honors they will have earned at the time of their passings.

Another of my amendments, amendment No. 2269—a topic about which I spoke last week—improves upon the Army's force structure stationing process. It has been sponsored by Senator ROBERTS as well as by Senator GILLIBRAND and the minority leader, the Democratic leader, Senator SCHUMER from New York.

Again, I express my appreciation to the Senate Armed Services Committee for its diligence in authorizing appropriations for our Armed Forces in a thoughtful and deliberative manner. This amendment attempts to take the

same approach that the Armed Services Committee is taking today—deliberate. We want the Army to perform in a diligent way its internal process on force structure, to thoughtfully deliberate how and where it makes smart investments. That includes the stationing decisions about soldiers and families, which will have an impact on cost for decades to come. Simply put, the intent of amendment No. 2269 is to increase the rigor, transparency, and congressional oversight of the Army's stationing process regarding changes or growth in force structure.

Both the Department of Defense and the Army are experiencing a much needed period of growth. Our Armed Forces are modernizing and increasing their readiness to be in a position to deter, confront, and defeat potential adversaries in environments that are more complex and more volatile than we have experienced in recent history.

After months of speaking on this topic to Army leaders, such as Secretary Esper, General Milley, and General Abrams, I am convinced that the Army's most senior leaders agree that its current process needs improvement to become more accurate and comprehensive.

As the Army grows and modernizes, more stationing decisions will be made in the future, and the Army ought not miss the opportunity to conduct due diligence in all of their decisions and invest wisely to pay down the costs in the future. With the Army's focus on reform, transparency, and using every dollar wisely, I believe this amendment No. 2269 helps the Army maximize the value of every dollar, operate transparently with Congress, and wisely use resources entrusted to them by the taxpayer. Once again, my amendment seeks to codify the transparency they are seeking and updates to the Army's stationing process that will ensure the Army is making better, more cost-effective, long-term decisions.

The instructions to the Army in this amendment have already been prescribed by the GAO, and the Army's own regulations are based on Army testimony and correspondence where it is made clear that the Army wants to improve their process. For example, with regard to how contiguous and noncontiguous Army training areas are measured, General Milley testified before the Senate Appropriations Defense Subcommittee, of which I am a Member, and said: ''It is my belief that they are rated differently . . . because it seems to pass a common sense test,'' given the geographically distant nature of the training areas off post. The fact that the Army's analysis currently considers these training areas as one in the same eluded many of the Army's senior leaders when we first began this process.

In addition, this amendment codifies Secretary Esper's February 23, 2018, commitment to improving the quality of life for soldiers and their families by considering ''community schools around the installations and the professional licensure reciprocity'' in future stationing decisions.

The Army has not incorporated information regarding tax credits, license reciprocity, education, and employment in their basing, so this amendment follows through on the Secretary's intent and guidance to address these factors that are critically important to soldiers and their families. The addition of this amendment in the criteria would encourage States to further support military men, women, and their families.

It is a recruitment and retention factor. We say the Army recruits individuals but retains families. The quality of life families experience when they move from installation to installation is paramount to each soldier's personal decision to continue serving. Our intent with this amendment is to support the Army in making decisions based on fair, open, and comprehensive data, particularly long-term cost factors that will help the Army save in future years. Those savings can be put toward training, supporting soldiers and their families, sustaining our weapons, and increasing the Army's readiness and lethality.

I ask for support on amendment No. 2269. I am convinced these changes will make certain the Army's stationing process is transparent and will help the Army maximize the value of every dollar, while operating more transparently, communicating with Congress, and more wisely using resources entrusted by the American taxpayer. This will pay off in the long term for the Army, their families, and for the taxpayers.

I yield the floor.

The PRESIDING OFFICER (Mr. SULLIVAN). The Senator from Connecticut.

GUN VIOLENCE

Mr. MURPHY. Mr. President, I come to the floor to mark a very unfortunate date. We are recognizing the 2-year anniversary of the shooting at Pulse nightclub on June 12, and on Sunday, June 17, we are going to mark the 3-year anniversary of the shooting at a church in Charleston. The killer in Charleston murdered nine people attending a Bible study. The killer in Orlando murdered 49 people who were at a nightclub.

I just came from my office meeting with one of the survivors of the Pulse nightclub shooting.

About 93 people are killed every day from guns. That is a mixture of suicides, homicides, and accidental shootings. That means that in the 731 days since the Pulse nightclub shooting, we have had somewhere around 70,000 people killed by guns in this country. That is a statistic that has no comparison anywhere else in the world. In the United States, we have about 20 times the number of people on a per capita basis who are being killed by a gun than the average OECD competitor nation. Something is going on here that is different than what is happening anywhere else.

As my colleagues know, I try to come to the floor every few weeks to talk about who these victims are to give a sense about the lives that are cut short, all the promise that is erased from this Earth 93 times every single day because of what is happening inside the epidemic of gun violence and to try to relate to people how furious this mounting cavalcade of those left behind is by our inaction. Remember, we have done virtually nothing meaningful since the tragedy in my State at Sandy Hook, and thus the slaughter continues.

Melvin Graham's sister, Cynthia Graham Hurd, was murdered in Charleston in that shooting. Earlier this year, he talked about how angry he is that Congress has done nothing meaningful to try to affect the reality of gun violence in this Nation. He said:

> You would think that this would be the time. Each time something happens, you think, this is the time we're going to get some action, some movement, some unity in Washington to do something. . . . And each time they have let me down, they have failed me. They've shown me . . . that they simply do not care.

On the evening of June 17, 2015, Dylan Roof walked into the Emanuel African Methodist Episcopal Church and killed nine people. He had a criminal record and shouldn't have had a gun, but because of a loophole in the background checks law that allows for a gun seller to transfer weapons to someone if the background check takes a long time, Roof was able to get a weapon, immediately go to this church, and kill nine people. The reality is, FBI data indicates that over the last 5 years, 15,000 people have been sold weapons who shouldn't have gotten weapons under this loophole. That means 15,000 people are walking around the United States today with firearms who have criminal records because their background check took 3 or 4 or 5 days. The reason background checks take a long time—most of them take about 10 minutes—is some people have complicated criminal histories, like Dylan Roof did. So it simply belies commonsense to say you are going to give a gun to somebody simply because they have a complicated criminal background and it takes a few days to sort out. This is an example of a crime that may not have been committed had our laws been different.

Until October of 2017, the Pulse nightclub shooting, which happened on June 12, 2 years ago, was the deadliest in U.S. history. These massacres that reach that tragic landmark of being the worst in U.S. history don't last for long, given the increasing pace of gun homicides in this country. This was an individual who was known to law enforcement, who had been in the system because of activity on line with respect to his connection with terrorist groups. Had we had a comprehensive no-fly ban in this country that gives the Attorney General the power to put people who are having conversations with terrorist

groups on the list of those who can't buy guns, it is also very possible that Omar Mateen, the shooter in this case, would never have been able to buy a gun, killing 49 people and injuring 53 others. This is another example of our laws being inadequate to meet the moment.

Unfortunately, this country tends to only pay attention to the issue of gun violence when these mass shootings happen. They are truly soul-crushing, community-changing events. Newtown, CT, is never ever going to recover from what happened there.

Every single day, whether or not we see something scrolled across the bottom of our cable news screen about a shooting, there are still upward of almost 100 people dying every single day—people such as Malachi Fryer, who was 6 years old when he walked into a room where a handgun was left unattended on a table. He took the gun back into his bedroom to play with it, and he accidentally shot himself. He was 6 years old, and he had just finished first grade in Elizabethtown, KY.

His school principal said:

> Malachi was special in many ways. He had a smile that warmed your heart, a contagious laugh and a positive attitude. He was a little comedian and the classroom was his stage. He loved people and he didn't meet a stranger. Basketball was his pleasure and joy. Our hearts are heavy because a piece of our New Highland family is gone.

Age 6, Malachi is one of the victims of the many accidental shootings that happen in this country.

In my State, Antonio Robinson was recently ready to graduate from Stamford Academy. He was a former cocaptain of the Stamford High School football team. He was standing in an overpass, and he was shot to death. His sister said: He never bothered anybody, so he never thought he had to dodge or hide from bullets. He was on his cell phone standing at an overpass. He wasn't even aware he was about to be shot.

His former coach and sixth grade teacher said:

> He wasn't the biggest kid out there [on the basketball court], but he played with a lot of heart and soul. He gave it everything he got.

Another one of his football coaches said that he was ''very respectful.'' He was just an ''awesome, awesome kid,'' just 18 years old. Antonio Robinson is gone.

Ryan Dela Cruz was 17 years old, from Seattle, WA. He was a senior at Franklin High School. He dreamed of a career in the Marine Corps. He and his friends went to a local park one recent Friday night. They encountered another group, words were exchanged, and shots were fired. Ryan Dela Cruz isn't living any longer.

He was described by his high school principal as ''a sweet, thoughtful, inquisitive, and compassionate young man. . . . He was determined to commit his life to the service of others.''

His father didn't want him to go into the Marines. His father was worried about the safety of his son, but, increasingly, you couldn't change Ryan's mind. He was committed to serve this country. What Ryan said to his father sticks with his dad. When he raised the issue of Ryan's safety, Ryan said to his father:

> Papa, wherever you are, it's God's will. If you die, you die.

Ryan Dela Cruz died at age 17.

Bob Stone was 64 years old when he died. From South Beloit, IL, he was a community pillar, longtime member of the city council, commissioner of the police and fire department. He and his wife Rebecca were known throughout the community because they had put together a festival every year in town. They were the organizers. It started with Rebecca's parents back in 2006, and they kept it up, something to bring the community together.

This story is particularly hard to hear because it is a murder-suicide involving his son Vito. The two of them were in a tent in the backyard. They were spending the night with Vito's two young children. Something happened inside that tent. Vito shot his father and then shot himself. Luckily, the children were unharmed, but for the rest of their lives, they are going to have to deal with the unspeakable, indescribable trauma of that murder-suicide that took the lives of their father and grandfather right in front of their eyes.

The young woman I met with today has gone through one of these traumas herself, having survived the Pulse shooting from 2 years ago, and speaks about that same kind of trauma.

Her life has been fundamentally changed from that day. Relations with her family members have been ruptured. She lost her cousin inside the nightclub that evening. It is a reminder. Researchers tell us every time 1 person is shot, there are likely 20 other people who experience some kind of trauma from that 1 shooting. Take the average of 93 people every single day and multiply that times 20, and that will give us a sense of just over a 24-hour period the catastrophe that happens in families and communities across the country because of gun violence.

Well, today I will not go into the details about all the things we can do to solve this, but I will share a statistic I came upon the other day. My head is full of statistics, trying to explain what is happening when I come to the floor to tell the stories of these victims.

Here is an interesting one. I heard some of my friends say to me: Well, America is just a more violent place. Sure, we have more guns than other places have, but there are a lot of things happening in the United States, different cultures living side by side, people with different backgrounds, which may lead to more episodes of violence.

Here is a really interesting statistic. Let's go back to the OECD countries, which are what you consider to be the most advanced 20 or so countries in the world. If you look at rates of gun violence, the chart tells only one story. The United States has a rate of gun violence of about 10 people per 100,000 in terms of gun deaths, and there is no comparison. The next highest country is Finland, which has a rate of about 3 per 100,000. The average country is down around 1 per 100,000. We are talking about a rate that is 10 times higher in this country than other countries.

Let's go to another measure of violence because some people will say we are just a more violent country. That actually is not true. We are actually, by other measures, a less violent country than all the rest of these.

Let's take another measure of violence. Let's take a look at assaults. There is a statistic that measures reported assaults in these same countries. When you look at reported assaults, the United States is actually almost last. We aren't the country with the most assaults; we are close to the country with the lowest number of assaults. Belgium has more; Israel has more; Portugal has more, as does Sweden, France, Netherlands, Italy, Switzerland, Spain, Denmark, Germany, Austria, Norway, Ireland, Finland, New Zealand, Australia, South Korea, and the United Kingdom. Only Japan and Canada report fewer assaults per person per capita than the United States.

So it is not that we are a more violent nation. It is that we are, in particular, a nation plagued by one type of violence—gun violence, which tends, of course, to be the most lethal kind, the kind that comes with the greatest degree of cascading trauma.

I know we have important business to do today with respect to the Defense authorization bill. I and my State have important equities in that bill that I hope to advance, but I still think it is worthwhile every now and again to come to the floor and remind my colleagues that even if they don't read about an episode of mass violence today, there will still be nearly 100 people who lose their lives. It is an epidemic that happens only here in the United States and is not explained by the United States being a more violent nation in general. It is simply explained by a nation that has more guns per capita and a Congress that is unwilling to make sure that only the right people get their hands on those weapons.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am honored to follow my colleague from Connecticut on a topic that has bedeviled and baffled us together almost since the time we became Senators. It is a topic that is heartrending and gut-wrenching for both of us.

I thank him for his leadership and partnership in this effort.

Mr. President, we are here on the 2-year anniversary of the tragic Orlando

nightclub attack. On June 12, 2016, a man armed with an assault rifle and a pistol, with hatred in his heart, stormed the Pulse nightclub and murdered 49 people. This man turned a safe haven, a place of joy and celebration, into an unimaginable nightmare.

On that day, and on so many other days—in fact, virtually every day—all of us who lived through the Sandy Hook massacre firsthand relived the terrible tragedy of that day in our State.

Tonight, coincidentally, Sandy Hook Promise, a group that was formed in the wake of that tragedy and has done so much good work around the country to make our Nation safer, is having its annual dinner. I will be attending and speaking there with many who were involved in seeking to make sense of that tragedy and accomplish specific, tangible, commonsense measures since then.

The Orlando nightclub attack remains the deadliest incident of violence against LGBT people in our Nation's history. We ought to take particular time today to commemorate this national tragedy. We also should think about the epidemic of gun violence, like Sandy Hook, and hate crimes generally across the country—which may not involve gun violence—that plague our Nation daily, the greatest Nation in the history of the world. This scourge of hate crimes and gun violence—often the two go together—is a continuing plague.

In an average year, more than 10,300 hate crimes that are committed involve a firearm. That is more than 28 every single day.

Meanwhile, the FBI tells us that for the second year in a row, hate crime offenses are on the rise in this country, an increase of 6.3 percent from 2015 to 2016, and that increase itself follows a 7-percent increase from 2014 to 2015. These statistics are stunning. They are particularly sad, given the underreporting of hate crimes. We know that many hate crimes are never reported because of embarrassment and fear of retaliation. The real incidence of bias-motivated crimes is likely much higher than even these intolerable numbers tell.

We know that LGBT people are more likely to be targets of hate crimes than any other minority group. I am heartbroken to report that LGBT people are introduced to these instances of violence at a very young age. There is no preparing children for it.

The youth experience of this kind of bias, bigotry, and hatred is extraordinarily high, and it often is manifested in violence and physical harassment in school. Students report being severely beaten and robbed by their peers. One young man recounted being beaten, driven 5 miles out of town, stripped naked, and left to walk home alone.

When we hear these stories, we should not be surprised that more than half of LGBT youth feel unsafe in their schools. We should not be surprised, but we should be outraged. We should be angry that this kind of bias, bigotry, and harassment continues to affect LGBT people. In this great Nation, it is intolerable. Schools should be places where young people learn, grow, and build friendships, free of fear of being assaulted by their peers and becoming the next victim of this unspeakable crime.

Apart from the bias, bigotry, and hate crimes that are the result of this kind of unacceptable precedent, gun violence continues to plague our schools, as well as churches, theaters, and other public places. But the plague of gun violence is not only in the mass shootings, which attract the most attention. It is the one-by-one or smaller groups that account for the 96 deaths every day and 30,000 deaths every year.

These numbers have become so familiar as to be banal. The banality of this evil is itself an insidious disease. It eats away at the moral core of our country. It continues to make us a lesser nation.

Our failure to act makes this Chamber complicit in those deaths. This body cannot avoid its moral culpability for those deaths. The Senate of the United States and the entire Congress are, in effect, aiding and abetting this epidemic of gun violence, which is probably the most deadly public health crisis that plagues our Nation right now.

Imagine if a communicable disease, say Ebola, took 90 lives every day. There would be marches in the streets and demonstrations. The country would react, but it has become so inured to this public health epidemic of gun violence that there is no reaction unless there is a massive incident like the Parkland High School shooting.

Marjory Stoneman Douglas High School became a turning point for this country on gun violence. When young people demonstrate, march, hold vigils, and walk out of schools—in Ridgefield, I attended one of those walkouts, a profoundly moving and important event. I believe these events can provide a turning point that will move this country into a new social change era, a new movement of social change comparable to the civil rights movement and the anti-war movement and marriage equality and women's healthcare, a movement that can truly transform this Nation, raise its consciousness, but also elicit action.

We need not only more words and rhetoric and speeches but also action on the commonsense measures that this body has failed to enact: background checks applied to all gun purchases; tightening the information that goes into the database used in those background checks, even beyond the Fix NICS bill that was a minor change adopted earlier this year; a ban on assault weapons and high-capacity clips; a closing of the 72-hour loophole involved in the background check system for purchases of a gun; and, of course, the hate crimes or red flag statute that enables police and family to go to a court to seek a warrant to make sure that someone who is dangerous to himself or others will not be permitted to buy or possess these weapons.

These commonsense reforms have been before us for years, and since Sandy Hook, nothing has changed. This body has been inert and reprehensibly unresponsive. We know these measures work. We know from Connecticut's experience that they reduce crime and homicides. We know from our State's adoption of these reforms that we can lessen the number of shootings, as well as deaths and injury. We know what doesn't work: arming teachers in school, a proposal rejected by the law enforcement community, by the education community, and by ordinary citizens in communities around the country.

Connecticut has shown by our experience that these commonsense, sensible measures do work, but they cannot protect Connecticut citizens alone because our borders are porous.

Even a State like Connecticut, with the strongest gun laws in the country, is at the mercy of States with the weakest because guns are trafficked across State borders. So we need national standards and national laws that will protect us in Connecticut and all around the country who are at risk.

The new social change movement, powered and fueled by young people, can break the vicelike grip that the gun lobby has held over this Congress for so many years—indeed, for decades. I have worked on this issue literally for 2½ decades or more. When I was attorney general of the State of Connecticut, I championed and we passed a measure to ban assault weapons, among other reforms. It was challenged in the court. All of the same arguments were raised then legally that are raised now. We defeated them. In fact, I tried the case and argued it in the Supreme Court. Those arguments are as invalid today as they were then—based on the Second Amendment or void for vagueness or equal protection—and they will fail in the courts just as they did in our courts then. I have never felt nearer than we are now to meaningful reform because of those students, because of those young people, because of the outpouring that is riveting America and moving us forward, but it has to be translated and galvanized into votes in this coming election and in elections to come so that the will of the people is heard here and the vicelike grip of the gun lobby is broken.

Walking out of schools and walking into polling places is what is required, and these young people are showing us the path to do it. Even while we work in that arena, organizations like Sandy Hook Promise are showing us how to educate in a totally bipartisan way and raise awareness in our schools and bring people together so that we solve our conflicts peacefully and with words, not conflict.

Scarlett Lewis, whose son Jesse was killed at Sandy Hook, has worked hard on social and emotional learning—another way to bring us together at the earliest of ages. Social and emotional learning has been her mission since Jesse's death, and she has formed a foundation to choose love, to enhance the ethos of teaching young people that they can solve their disagreements and conflicts with words and caring that they can be taught in school.

First, of course, teachers need to be taught and trained how to do that teaching, and that is why I sought an amendment to the reauthorization of the Elementary and Secondary Education Act with her inspiration to build that movement.

There will always be hateful people who want to lash out and destroy. On this anniversary of the Orlando nightclub massacre, we cannot concede defeat, and we cannot relent or relax our efforts. We need to commit to action, not just reflection or rhetoric. Every child who goes to school should do it without fear. Every person who goes to church should have no doubt about the safety of that sacred place or any other house of worship. Anyone who goes to a movie theater or to any other public place should do it without the apprehension that a person with a gun might be in wait.

For our LGBT community, we need a statute like the NO HATE Act that I have proposed—I introduced it last year—which would address the bigotry and bias that continues to plague them, not just in the hateful words but in the violence and harassment they suffer. Enforcement of the laws that exist now is absolutely essential. In fact, enhanced enforcement—devoting more resources to the police, FBI, and prosecutors who pursue these crimes—ought to be a challenge that we meet without question.

On all of these fronts, we should be united. It should be bipartisan. There should be no political division to make America safer, to make sure that we fulfill the vision of our great country that we will live peacefully together and enjoy equally the opportunities that are entitled by all of us.

Thank you, Mr. 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. WICKER. 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. WICKER. Mr. President, I rise this morning to speak in favor of the National Defense Authorization Act. We are currently negotiating with Members of the Republican and Democratic Parties on how to consider amendments. We will eventually get there, as we do every year, because the NDAA bill has passed Congress—the Senate and the House—and has been signed by the President for 57 years in a row on a wonderfully bipartisan basis. I expect, when it is all said and done, that will happen again this year.

As a matter of fact, I was just speaking to a group of Hawaiians who were gathered together under the leadership of Senator MAZIE HIRONO. Senator HIRONO is the ranking member of the subcommittee that I chair, the Seapower Subcommittee. We were able to make the point and have been able to make the point at several forums about what a bipartisan issue this is, to protect our country through a strong Navy and through the provisions that we will enact under the Seapower title. Of course, this bipartisan exercise is a very important fulfillment of our constitutional responsibility. It is right there in the preamble—to ''provide for the common defence.'' And that is what our subcommittee has done.

The bill this year authorizes $716 billion for national defense. This is an increase from last year, and we finally got rid of the notion that we can somehow be a safe and secure nation and have this defense sequestration that had come upon us due to our inability to deal with the budget. Last year we authorized and appropriated $700 billion for national defense, and this bill would up that a little to $716 billion. My position is that we need every penny of that. The top line matches the figures we have set in the 2-year budget. That was passed by the House and Senate on a bipartisan basis and signed into law by the President of the United States, President Trump.

Secretary Mattis says this defense spending is essential at these levels to keep America safe and to support our men and women in uniform. Secretary Mattis authored the new national defense strategy, and it prioritizes preparing the Armed Forces for long-term strategic competition with China and Russia. We would like to be on a friendlier basis with China and Russia, but sadly, at this point, we are not. We are in a long-term strategic competition. I believe Secretary Mattis, when he says we need to do this, and the NDAA, which is the subject matter before us on the floor right now, recognize that. Strategy is driving the budget this year, not the other way around.

As I noted, I am chairman of the Seapower Subcommittee. Senator HIRONO is my ranking Democratic member. We both recognize that upholding our maritime interests is becoming more and more critical. We are a maritime nation, and Americans need to understand this. The Seapower title recognizes this. It positions the Navy and Marine Corps to retain superiority over rapidly modernizing Chinese and Russian maritime forces.

I am happy to say that it accelerates the naval buildup toward the statutory 355-ship Navy, which was signed into law as a result of the NDAA last year. The SHIPS Act, which Senator HIRONO and I both persuaded every member of our subcommittee to cosponsor—every Republican and every Democrat on the Seapower Subcommittee sponsored this. We were able to add the SHIPS Act to the NDAA last year and have it signed by the President of the United States.

The bill this year builds on what we hoped would be the result of the SHIPS Act. It authorizes $23 billion for building 11 new ships that we didn't intend to build otherwise—an increase of $1.2 billion above the DOD budget request. The statutory language signed by the President is actually getting us there. It adds over $1 billion in advanced procurement funding for attack submarines, destroyers, and amphibious ships that will stabilize the industrial base, encourage new suppliers to enter the marketplace, and save taxpayers money in the long run through this mechanism of advanced procurement funding for our attack submarines. It authorizes multiyear contracting—another cost-saver—for our Super Hornet fighters, Hawkeye early warning planes, and two types of standard missiles fired from our Navy ships.

I am pleased with the progress we have made, and I am pleased that our work on the SHIPS Act last year is already paying dividends in terms of getting us much more quickly to the 355-ship fleet.

The NDAA also includes 12 provisions that were contained in a bill that Senator MCCAIN and I authored in response to the tragedies of the USS *John McCain* and the USS *Fitzgerald* collisions. Frankly, there were other mishaps in the Pacific also. In the *McCain* and the *Fitzgerald*, 17 soldiers tragically died because of accidents involving our ships.

Based on studies that we commissioned in this Congress, we came back—Senator MCCAIN and I—and introduced provisions. I will mention five of them today.

They are included in the base NDAA bill.

First, we direct a comprehensive review of the Navy's cumbersome and confusing chains of command. This confusing chain of command in the Pacific has been a problem.

We limit the duration of ships homeported overseas to no more than 10 years. After 10 years of being homeported overseas, forward-deployed ships must now rotate back to the United States more frequently to avoid being overtaxed from constant operations. That is in this bill.

We give forward-deployed ships more sailors. We have had a shortage there, regrettably, inflicted somewhat because of defense sequestration.

We require the Navy to develop a more realistic standard workweek assessment. I know the Presiding Officer understands this from the testimony we have received. The old system led to sailors routinely working 100-hour workweeks. Is it any wonder that our sailors were fatigued and burned out,

with 100-plus-hour workweeks? This NDAA bill, which we must pass and get to the President, would end that. It would also allow the Secretary of the Navy more flexibility in the personnel process to keep talented officers in the Navy and to keep talented officers in the Marine Corps.

One other thing I will mention is that we have the title of CFIUS reform. CFIUS simply stands for Committee on Foreign Investment in the United States—CFIUS. This provision is designed to protect our interests with regard to the designs of China, and it came to us, actually, out of the banking bill. We need to stop China from gaining access to military technology and gaining access to strategically important industries in the United States through buying our companies. China is buying American companies and then getting access to the intellectual property owned by those companies. This is what CFIUS reform does.

NDAA includes the Foreign Investment Risk Review Modernization Act, adopted unanimously by the Senate Banking Committee, and would give the Committee on Foreign Investment in the United States, or CFIUS, more authority to prevent foreign acquisitions of our sensitive technologies.

This is a good bill. It is a wildly popular bill in the military. It provides increased resources for those men and women who strapped on the boats, who put on the uniform and stepped forward voluntarily—not a single person in the military has been forced to do this; they stepped forward voluntarily—to do the hard things so that we can live in peace and prosperity and comfort in the United States.

This is a popular bill in the other body. We are taking their bill and making some adjustments, but we will get that ironed out in conference. We will, once again, fulfill our constitutional duty to provide for the common defense and show that when it comes to national defense and providing security for the people of this great Nation, this is, indeed, a bipartisan determination and a bipartisan exercise.

So I urge us to get moving on this, and I certainly believe—I am convinced—that before the end of the week, we will have an affirmative vote and move this bill toward the President's desk.

Thank you, Mr. President.

I yield the floor.

Seeing no other Members seeking recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

FAMILY SEPARATION POLICY

Mr. DURBIN. Mr. President, on Monday, in my office in Chicago, I met a woman and her daughter. The story they had to tell me was heartbreaking. This woman was from the Democratic Republic of the Congo, Kinshasa.

Something had occurred at her home while she was gone, where a child of hers left an iron on. Another child came in, grabbed the wire of that iron, was electrocuted, and died. It was a horrible accident that claimed the life of a child.

That child who died was the nephew of a general in the Army of the Democratic Republic of Congo. When he heard about his nephew dying in this accident, he said he would take care of the situation and that family would pay a price for the life of his nephew.

This woman, a mother of three, went into a panic because her daughter was going to be killed by this general—such a panic that she fled the country. Her journey is almost indescribable: From Africa to South America, up through Central America, finally arriving on a bus at the border, the port of entry in Southern California. She came there and asked for asylum. She was in fear of not only her life but the life of her daughter.

What happened next is what I want to speak to, because what happened next is something that I didn't think would ever happen in America. What happened next was a decision by the Federal Government to take her 6-year-old daughter away from her in California. They said initially that her request for assistance was a valid enough request to go forward to a hearing. But even having said that, they snatched this girl from her mother's arms and removed her screaming to another room. Then, they deported her daughter from Southern California to the city of Chicago—our government.

Was this mother abusing this child? Of course not. Was there any evidence of trafficking involved here? Of course not. Was this woman a terrorist? Of course not.

Why did they do it?

When I heard about it, I called the head of the Department of Homeland Security, Secretary Nielsen, and said: Why would you remove that child from that mother's arms and transport her 2,000 miles away?

She said: Oh, I will look into that. That is not our policy. We don't do that.

Well, historically, our government didn't do it, but it turned out that Secretary Nielsen was wrong. It is our policy—a policy that has been announced by Attorney General Jeff Sessions. He says it is basically going to be a hard approach to those who try to come to this country and ask for asylum, ask for refuge.

So in the first two weeks of the month of May, with this new policy of Jeff Sessions—Attorney General Sessions' policy—658 children were removed from their families and taken to separate places.

Can you imagine the trauma on that child, let alone the mother? The American Academy of Pediatrics tells us that you don't do that to children without leaving some scar, some problem, but we are doing it as official government policy—official government policy of this administration.

Well, I met with the mother and the child. What happened to the mother after the child was removed is just a succession of horror stories. The mother was called in for a hearing while the child was sitting in Chicago. The mother has no attorney. She was not represented. She speaks limited English. She went through a hearing where they denied her request for refuge and asylum. They then said she could appeal the ruling if she wished.

She said: How long would that take?

They said: 3 to 6 months.

She said: I could not stand to be separated from my daughter for 3 to 6 months. I waive all of my rights. I am finished. I am finished with this effort.

Well, she was released—the mother was—on another appeal, I might add, by the ACLU. She was reunited with her daughter, and I happened to see them both in my office in Chicago.

When I walked in the room, this woman, who had traveled this great distance to protect her little girl, clearly tensed up when she saw this White man in a suit and tie walk in, and then it was explained through her interpreter that I was not there to hurt her or separate her from her daughter. Her daughter was running around the office while we were talking but never lost sight of her mom the whole time.

This is not an isolated instance. This is not just a little accident that happened on the border near Southern California. This is now the policy of the United States of America, the policy of the Trump administration, the policy of Attorney General Jeff Sessions—to remove children from their mothers.

Of course, it is not cheap. Transporting a child 2,000 miles and putting them in some care facility—even a good one—is not cheap. When my colleague, Senator JEFF MERKLEY of Oregon, recently went to Arizona to see the children who had been separated from their parents, he was denied access. They wouldn't let him see it. He has gone back, and others will go back too.

It is unthinkable that we are holding these children in some situation where we don't want anyone to see them once they have been taken away.

In the southwest part of the United States, reportedly some mothers have been told: Oh, we are going to give your child a bath, and then the child was snatched away.

That is the official government policy of Attorney General Sessions and the Trump administration.

It is hard to imagine that we have reached this point in the history of this country that this is acceptable conduct by our government. It is hard to believe that the rest of the world will look at this and say: Well, that is how

Americans treat people who come asking for help. They take their kids away from them.

Family separation is now the policy of this administration, not family unity.

I am hoping—just hoping—that perhaps some of my Republican colleagues will think this is an outrage as well. Maybe they will step up and speak out. I hope they do. On a bipartisan basis, we should all be standing up for these children who are being separated from their parents.

They say: Well, it is a new approach, a hard approach for dealing with those who come to our border. We have used hard approaches in the past in the United States.

Let me explain two examples. There was a hard approach that was used in this Chamber, in the Senate, in the 1940s, during World War II. Senator Bob Wagner of New York came to the floor and said: I want to give permission for 10,000 Jewish children who are currently in England—safe and away from Nazism and Hitler in Europe—to come to the United States. He called for a vote in this Chamber and he lost. It was defeated—the notion of allowing 10,000 Jewish children to come here for safety was defeated on the floor of this Senate.

The same thing happened during that period of time when the ship the MS *St. Louis* came over from Germany with 900 Jewish people who had heard about the Holocaust, feared it, and wanted refuge in the United States, and they were turned away—turned away and forced to return to Europe, where several hundred died in the Holocaust.

Those are specific examples of things that happened here, in this town, by this government, in one of the most embarrassing chapters in our Nation's history. That was the time when we were also taking Japanese Americans—Japanese Americans—and interning them in camps despite no evidence of sabotage, treason, or wrongdoing.

After that war, America reflected on those incidents I have just described and said: We are going to be a different nation from this point forward. After World War II, the United States said: We are going to set the example where we are a caring, compassionate nation that is there to help when people are in desperate circumstances. We did it over and over again.

Look at the Cuban-American population in the United States. Look at three of my Senate colleagues who are Cuban Americans and tell me that accepting refugees from Cuba was a bad idea for the United States. Of course it was not a bad idea. It was the right thing to do for those who wanted to escape the early days of the Castro regime.

Take a look at those who came over after the Vietnam war, many of whom had risked their lives to fight on our side of that war, asked for refuge in the United States, and we gave it to them. Tell me that was a mistake. We know it wasn't.

Tell me our decision to open the United States of America to Jews living in the Soviet Union who faced oppression was a mistake. I don't think so. I think it was the right thing to do.

The things I have just described—the Cubans, the Vietnamese, the Soviet Jews—define who we are. This Nation—this caring, wonderful, great Nation—defines itself by its policies.

Now look at this policy of family separation. Look at this policy of removing children from the arms of a mother, with no suspicion of any wrongdoing whatsoever, and tell me that is consistent with who we are in America. That is what we face with this family separation policy.

I am joining with Senator FEINSTEIN and several other of my colleagues to prohibit this new policy. We don't have a single Republican cosponsor yet. I hope we do. I hope there is one Republican Senator who will step up and say: This is wrong.

We can enforce our laws, but let's not do it by tearing children out of the arms of their parents and mothers, because that is sad, and that is what is happening now. The family separation policy of this administration, sadly, is not only not right, it is not American.

OPIOID EPIDEMIC

Mr. President, I have had roundtable discussions across the State of Illinois. I have gone from Chicago to downstate, to small towns, to suburban towns, to, of course, the big city of Chicago. What I have found is this: No matter where you go, no matter how rich the suburb, no matter how small the town, you will find the opioid crisis facing America.

This drug epidemic may be the worst in our history. Every day, we are losing 115 American lives to opioid overdose. In the past 3 years, there has been a 53-percent increase in drug overdose deaths in my State. More than 2,400 of my neighbors and the people I represented in Illinois have died because of this crisis.

When we look back at the history, it is hard to understand how we reached this point. We know—when we go far enough back—that the pharmaceutical companies that produced these opioid pills misrepresented, lied to doctors, nurses, dentists, and the American people about the addictive nature of opioids. We know that happened. We also know that it became a big cash cow industry for pharmaceutical companies when more and more Americans became addicted to opioid pills.

Think of this: Two years ago, pharma produced 14 billion opioid tablets in the United States—enough for every adult in America to have a 3-week prescription of opioid pills. That was the reality. They were churning out these pills as fast as they could make them because they knew there was money to be made.

What we learned is that when the pills got too expensive on the black market, those who were addicted moved to heroin—another form of narcotic—which was cheaper and also addictive and, when laced with fentanyl or taken in overdose, killed the person who was using it.

Fourteen billion pills.

I have introduced legislation to address several aspects of this crisis. There is a lack of access to treatment. Once a family or a person identifies someone in need of treatment, sadly, there aren't many opportunities for good, affordable treatment to stop this addiction and to save their lives. I also want to respond to the childhood trauma that can drive people to opioid use. We see that. I want to improve the oversight of the volume and types of opioids being approved by our government for sale in this country.

We need to do more to prevent addiction and to address this crisis. What are we finally going to do to get serious about this?

First, we have to have the pharmaceutical industry stop making profit—their motive in the production of opioids.

Next, we have to be realistic about where these opioid pills are going.

Downstate in my State of Illinois, in Hardin County, which is a small, rural county, fewer than 10 doctors can prescribe controlled substances—10 doctors in this county. There is a total population of 4,300 people in Hardin County, and there are 10 doctors with the legal authority to prescribe. It is the smallest county in my State.

In the year 2010, pharma sent 6 million hydrocodone opioid pills and 1 million OxyContin pills to Hardin, IL. Seven million pills to a county with a population of 4,300 people were enough opioids for every resident of that tiny, rural county to have a 3-month prescription for opioids. Last year in Madison County, IL, which has a larger population, 17 million opioid pills were sent.

Maybe you have heard of Purdue Pharma, the manufacturer of OxyContin. I encourage my colleagues to pick up Foreign Affairs magazine or the New York Times or the L.A. Times or the New Yorker. There, you will read about the family who owned this pharmaceutical company and made a fortune off these opioid pills and addiction, the Sackler family. If the name sounds familiar, it is because they have donated millions of dollars to art galleries and universities across the country—and also helped to fuel our Nation's opioid epidemic. The Sackler family owns Purdue Pharma and is responsible for a lion's share of the opioid crisis we face today.

For years, under the Sackler family leadership, Purdue waged a comprehensive campaign to addict America to OxyContin. They wildly mischaracterized the risks of the drug, falsely claimed that it was less addictive and harmful, and just two pills a day were all you needed for full-time relief. They went on to say that OxyContin should be prescribed for common aches and pains, even when they had internal information proving that these pills were dangerous.

The family promoted the liberalization of direct-to-consumer drug advertising. Ever turn on the television lately and see the drug ads? How do we keep up with these? They are coming at us from every direction. Well, they went on direct consumer advertising with opioids at this point. They enlisted an army of sales reps to swarm doctors' offices with payments, false medical journals, and false promises. As my colleague, Senator CLAIRE MCCASKILL of Missouri, has documented, they showered the so-called patient advocacy groups with millions in funding to fabricate a patient perspective demanding more opioids.

In 2007, this company, Purdue, pled guilty to criminal misbranding of OxyContin. So what did they pay as a result? Listen to this. What did this company have to pay for creating the opioid crisis in 2007? Six hundred million dollars. Does it sound like a lot of money? It shouldn't because their sales revenues were $35 billion. So $600 million was the cost of doing their deadly business. No jail time for any member of the Sackler family, no Sackler family responsibility, but hundreds of thousands of Americans continue to be killed because of their crisis. As our former colleague, Senator Arlen Specter, once said, it is ''an expensive license for criminal misconduct.''

Purdue, the Sackler family, and other opioid manufacturers, such as Janssen, Abbott, Endo, and Insys, systematically orchestrated a complex web to deceive the American public, promote their opioids, and avoid liability. This is shameful, it is unjust, and it is well past time for Congress to do something about it. I will soon be introducing legislation to crack down on this corporate misconduct by properly penalizing and preventing the misrepresentation of opioids and requiring drug corporations to provide more information to the Food and Drug Administration on the risk of abuse and long-term effects. I am also examining the influence the pharmaceutical industry is exerting over our regulatory agencies and the medical community by hiring former officials with incentive payments.

In the meantime, here is what we need to do:

First, Purdue Pharma and other opioid manufacturers must testify before the Senate to explain their role in this epidemic. We did this with the tobacco companies and put them under oath years ago. We need to do the same to these pharmaceutical companies.

Second, we must fix the 2016 law that weakened the Drug Enforcement Administration's strongest enforcement tool against this outrageous distribution practice. I support efforts by my colleagues, Senators MCCASKILL and MANCHIN, to restore the DEA authority.

Finally, opioid manufacturers have profited off of flooding the market with painkillers and addicting Americans, and they should pay for the need for treatment their products have created. I have introduced legislation to impose a penny-per-milligram tax on the production of opioids. Big Pharma has to be financially liable for the mess and epidemic they have created.

While we sit on our hands, sadly, in the United States and watch this opioid epidemic grow, an arm of the Purdue company, Mundipharma International, is shamefully exporting its deceptive marketing campaign overseas. Mundipharma, an arm of the Purdue company, is targeting doctors and the public with misinformation they were found guilty of using in the United States.

Meanwhile, the wave of addiction created by the drug industry has ignited a new and deadlier crisis with the highly potent synthetic opioid fentanyl, which is being shipped through the mail in staggering quantities from China to the United States. This rippling effect is causing further deaths in America, straining our resources and exposing major gaps.

I am glad the Senate Judiciary Committee is considering this issue and moving one of my pieces of legislation forward, but we must do more. Our communities across the country are facing the suffering caused by this crisis. We need to do more to hold pharma responsible for this deadly, irresponsible, and many times criminal conduct. Let's start by bringing them to testify under oath before the Senate.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, I would say amen to the comments of the Senator from Illinois, our Democratic whip. He spoke on two subjects very eloquently—the subject of opioids and the subject of ripping apart families in immigration, both of which require immediate action.

HEALTHCARE

Now, Mr. President, I want to speak on something that requires immediate action. There are 130 million Americans in this country who have a preexisting condition. The Affordable Care Act that we passed 7 or 8 years ago guarantees insurance coverage if you have a preexisting condition. Lo and behold, the Trump administration is trying to rip that out of the Affordable Care Act, the law—130 million Americans and almost 8 million just in my State of Florida.

They want to repeal and kill the Affordable Care Act. This is one way to do it because the Trump administration and congressional Republicans and their allies have repeatedly tried and failed to kill the Affordable Care Act but now are trying to dismantle it piece by piece by pulling out economic undersupports of the law. As a result, they successfully did that and attached it to the tax bill that went through, and we are seeing the results of that. The premiums are going up. Now they want to basically kill the bill by saying that it is not a requirement of the law that insurance companies cover a preexisting condition.

Let me give you some examples of preexisting conditions: Alzheimer's, cancer, acne. How about simply being a woman? Let me repeat that. Being a woman was a preexisting condition before these protections were put into law—that an insurance company would have to cover you and that your rate had to be fair.

Having faced multiple times the Republicans trying to dismantle this law, the Trump administration is now trying administratively and through the courts to take health coverage away. In my State of Florida, it is almost 8 million people.

Here is what they did. In February, in 20 States, the attorneys general, including in my State of Florida, filed a lawsuit to attack our Nation's health law and all of the key protections that go with it, and that is without any plan to replace it. Just last week, the U.S. Department of Justice sided with these States and went into court and told the court to do away with the law that bans insurers from charging people more or denying them coverage based on a preexisting condition.

This seems absolutely inexcusable to me. If the attorneys general and the administration now supporting them prevail, health insurers across the country will once again be able to charge unlimited premiums for older adults by discriminating against all people with preexisting conditions—discrimination by the insurance companies refusing to offer them coverage or charging them exorbitant premiums simply because of what they call a preexisting condition in their medical history.

As people age, they have more maladies, and almost everybody then has a preexisting condition. The law says that you are guaranteed you can get insurance coverage, even in an individual, single policy if you have a preexisting condition. I gave you some examples. Let me repeat them: cancer, Alzheimer's, maybe just an operation, maybe something like acne. This Senator has even seen, as the former insurance commissioner of Florida elected years ago, an insurance company saying that a rash is a preexisting condition, and therefore they would not insure a person. Then there is the fact that just being a woman is a preexisting condition for which they would not guarantee coverage—just because of being a woman.

Our constituents deserve better. They deserve access to healthcare. They deserve to know they can go to the doctor without being placed at risk of medical debt or bankruptcy, without putting even more pressure on our communities, hospitals, and those of us with insurance. If you don't have that guarantee, what is going to happen? Rates are going to go up. More people will go to the hospital, and it is going to be uncompensated care, and that is going to cause our rates to go up.

This lawsuit by these attorneys general is nothing more than another political attack on our Nation's healthcare law. In my State of Florida, Florida's Governor and the other 19 States that joined the lawsuit are the ones who are behind this, and they need to be held accountable. They are trying get rid of the protections for health insurance if you have a preexisting condition.

It is not enough to say that the Trump administration is taking deliberate steps to make healthcare more expensive. Now they are trying to take away one of the most important and popular provisions—the ban that prevents insurance companies from discriminating against people with preexisting conditions.

Why don't we stop these games? Instead, why don't we work together? Let's get together a bipartisan agreement and help our constituents be able to have the healthcare they need, the insurance protection they need at an affordable price.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. (Mrs. ERNST). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

THE ECONOMY

Mr. LANKFORD. Madam President, I have talked to a lot of Oklahomans who say they would love to hear some good news every once in a while, so let me just pause for a moment and read a couple of headlines and give some good news.

One piece of good news came out of the Oklahoma legislature and out of our research branch. It deals with our finances. Oklahoma's revenues are up 20 percent higher than what was expected. For folks in this Chamber who don't know what is happening in Oklahoma, our economy has been down for a couple of years. We have been struggling through some serious issues in the budget. For our revenues to be up 20 percent higher than what was expected is a surprise but a welcomed surprise. It is a real sign of the turnaround in the Oklahoma economy, and it is very good news for a lot of people. I am grateful to say that it is not isolated news, that this is happening nationwide with there being a real turnaround in the Nation's economy.

I don't often come to this floor and quote the New York Times, but let me do that today. Just a couple of days ago, the New York Times ran the headline: ''We Ran Out of Words to Describe How Good the Jobs Numbers Are.''

In just the first couple of paragraphs of its story, it read that the real question in analyzing the May jobs numbers released that week was whether there were enough synonyms for ''good'' in an online thesaurus to describe them adequately. For example, ''splendid'' and ''excellent'' fit the bill. These are the kinds of terms that are appropriate when the U.S. economy adds 223,000 jobs in a month, despite its having been 9 years into an expansion, and when the unemployment rate falls to 3.8 percent—a new 18-year low.

That was from the New York Times. They ran out of words to describe how good the economy is nationwide.

This is from CNN:

> There are now more job openings than workers to fill them.
>
> Want more evidence that America's economy needs more workers? For the first time in at least 20 years, there are now more job openings than there are people looking for work.

That came from CNN.

The strong economy that we are facing shows that we have a 44-year low of people right now who are applying for unemployment insurance, of people who are out there who have lost jobs and are looking for jobs—a 44-year low nationwide.

Three million new jobs have been created since November of 2016. Right now, there is a job opening for every jobless person in America. During the height of the recession just a few years ago, there were six people who were looking for work for every one job open. Now there is at least one job open for every single person in America. Unemployment has fallen to 3.8 percent—the lowest in 17 years—and consumer confidence has hit an 18-year high.

There have been remarkable turnarounds that have happened. There has been a nice, strong, steady increase in our economy. What the Federal Reserve has always been afraid of—an overheating economy that moves too fast—has not occurred. It has just been one of steady growth with new individuals participating in the labor force. On top of all of that, even for those individuals who are currently employed right now, the average wages have increased in America by 2.7 percent.

For the individuals who are employed, wages are going up. For individuals who are looking for jobs, there are job openings for every single American who wants a job, and the unemployment rate continues to drop to a 44-year low. That is good news. That is the ability for the American economy to be able to run again as it was designed to run.

Quite frankly, when the tax reform bill was debated at the end of last year, there were a lot of people asking: Is this going to work? Will it really encourage the economy to grow or will it be a sugar high—is what I heard on this floor—of individuals who will be rushing to spend money only to then have the economy fall away and collapse?

What it has shown is, month after month, since tax reform has been passed and implemented, businesses have been hiring; people have been finding work; and wages have been going up by a steady amount. There has been the opportunity for people to start new businesses. We have seen real growth. Whether that be in State revenues, as in my State, or whether it be for individuals around my State, we are seeing real progress. That is a benefit. Now I encourage people to keep going.

There are a lot of things still to do in our economy, and I am grateful that, recently, the national survey, which is done every year on the best places in America to start a new business, listed Oklahoma City as the No. 1 place in the country to start a new business, a place that is business friendly. That is true for my entire State, where people are welcome to come and start new businesses, to engage, to find new jobs—to open up and find new opportunities.

Speaking of opportunities, my State, along with many other States, has started rolling out from the tax reform bill what are called opportunity zones. It is when we look for areas and designate areas in the State that are not growing as fast as other areas and provide incentives for people—incentives that have been built into the tax bill—in working with the State leaders, where there can be greater investment for people to find jobs, start new businesses, open new businesses. There are additional incentives with which to do that, and we have seen that continue to roll out. So far, there have been 46 States that have designated opportunity zones, and they are rolling out even today.

I am grateful for what is happening in our economy because it is not about numbers and statistics. It is about individual families who have the opportunity to find work. A friend of mine at church recently lost his job. What is interesting about that is, 8 years ago, I had a friend of mine at church who also had lost his job, but it is so different now versus then. Eight years ago, a different friend who lost his job caught me and talked about the desperation of looking, but there was nothing out there. Now a different friend who has lost his job, who is in transition right now, is talking about the opportunities, and he is not in a hurry because he has so many options in front of him. He may start something or he may join somebody else.

It is a good thing that when those moments of crisis come, you have opportunities and the hope of transitioning to another place in order to be able to take care of your family. I would encourage us to continue to work on our economy.

One of my favorite stories that has come out of the newspapers over the last couple of weeks is from the Wall Street Journal. It talks about this economy and talks about hiring, and it mentions specifically that many companies are having a difficult time finding new workers, so they are pursuing a group that they would not have considered a few years ago. They are looking to hire and train felons. These are

individuals who have done their duty to society—who have been in prison, have finished their terms—and they are out and just want another shot. This economy is growing so fast that many of those individuals are getting their next shots to start life all over because companies are reaching out to train and hire people who even have felony records. These are individuals and families who don't need a handout; they need opportunities. Thankfully, they are getting it in this economy.

Whether it is a company in Guymon or whether it is a company in Hugo or whether they are companies all across my great State, people are finding opportunities to work. I am grateful for that and a growing economy.

Madam President, I thank Senator INHOFE and Senator REED for their work on this year's National Defense Authorization Act. It is a big piece of work. It is something that we do every single year, walking through—what is called affectionately around here—the NDAA. It is all of our defense policies. It is what weapons systems we buy. It is how we support our men and women in uniform. It is how we ensure the national security of the United States. It is working its way across the floor, and I am proud of the role my State has played in what is happening to achieve the goals for national security.

The defense bill authorizes a 2.6-percent pay increase for our troops, which marks the largest increase in troop pay since 2010. The bill also increases procurement and funding of the KC–46 tanker, which will be stationed at Altus Air Force Base in Southwestern Oklahoma and maintained at Tinker Air Force Base near Oklahoma City.

The Air Force currently operates an air fueling tanker fleet with an average age of more than 50 years. Since the air refueling tanker plays a key component in our Nation's overall military strategy and our worldwide reach, including our readiness and operational capability, the KC–46A is a very welcomed and long-awaited asset for the Air Force's air refueling capability. They are scheduled to arrive later this year—in just a few months—at Altus Air Force Base so our women and men of the Air Force can step up and be trained and be ready to use that great asset.

The 97th Air Mobility Wing at Altus Air Force Base is responsible for that formal training with the C–17, the KC–135, and now the KC–46 aircraft for the Active Duty, Guard, and Reserve aircrew, while it maintains that Global Reach. Tinker Air Force Base currently supports the depot maintenance on that.

Many of those pilots who end up in that training first start out in Enid, actually. They are being trained in Enid, OK, on some of our smallest training aircraft. They learn how to do it and then, later, transition to Altus to then fly the KC–46.

The bill continues the modernization efforts to be able to continue flying the B–52 bomber, the sustainment of which is completed at Tinker Air Force Base. The bill includes funding for the Paladin Integrated Management system upgrade, which is assembled in Elgin, OK, and is used at Fort Sill, which is right down the street. The Fires Center of Excellence at Fort Sill organizes, trains, and equips all of the Paladin units in the Army Paladin Integrated Management.

Quite frankly, just about every time I go home or now fly out, I sit next to or nearby some young woman or man who is clutching a folder in his hand as he heads into Oklahoma City to get on a bus and head to Fort Sill so he can do his basic. I always recognize their faces, and I don't have to say anything else to them but ''thank you for signing up,'' because they are always clutching those folders they have been told not to lose, so they just hang onto them tightly. They are heading to basic at Fort Sill. It is an incredibly important facility for us as a nation.

Earlier this year, it was announced that Fort Sill will maintain the long range precision fires and the air and missile defense cross functional teams and will welcome two new brigadier generals to lead these organizations. All around the world people are asking for the assets that are coming out of Fort Sill because people want missile defense and the capability of protecting themselves from incoming threats.

This bill that we are working on also includes funding for the bulk diesel system replacement at the McAlester Army Ammunition Plant. Almost every time you see a guided missile somewhere—in all likelihood, on TV—it was assembled and prepared in McAlester, OK.

The bill provides funding for the aircraft vehicle storage building for the Army National Guard in Lexington, OK. Since September 11, 2001, the Oklahoma National Guard has deployed more than 30,000 soldiers to more than 16 countries—right out of Oklahoma. We are proud to do our part.

Finally, the committee recognized the spaceport in Oklahoma, which some folks missed, but the committee did not. It is home to one of the Nation's longest and widest runways. It is a 13,503-foot-long by 300-foot-wide concrete runway, and it is ready and prepared for our Nation.

The committee noted that the Oklahoma Air & Space Port, near Burns Flat, OK, is the only space port in the United States to have a civilian Federal Aviation Administration-approved spaceflight corridor in the National Airspace System. This spaceflight corridor is unique because it is not within military operating areas or within restricted airspace, which provides an operational capability for space launch operations and associated industries that are specialized in space-related activities.

This is a good bill. There is a lot in it, and it is a long bill. There are amendments that are still pending as we work through the process, but there has been a good conversation as we have worked through and continue to focus on one of the primary responsibilities of this Congress and of our legislative branch—standing up for the national defense and making sure we take care of that.

There are a lot of things happening in our economy and our Nation because we are secure. If at any moment we let down our guard with our own security, a lot of other things will disconnect. It is a good thing for us to work through the process on this, and I look forward to supporting this bill and continuing to support our national security.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. JONES. Madam President, I rise today to talk about an issue of deep importance to our country and my fellow Alabamians, and I follow my colleague, Senator LANKFORD, who spoke with such eloquence on national security.

This week, we are debating the National Defense Authorization Act, which funds our Nation's defense programs for the coming year. Like Senator LANKFORD, I want to thank Chairman MCCAIN and Ranking Member REED for their work on this incredible and important legislation, as well as Senator INHOFE. He has done such yeoman's work in Senator MCCAIN's absence.

This bill has tremendous implications for our country, both abroad and here at home. In Alabama, we know all too well about the need for national security and a good economy. From Redstone Arsenal in Huntsville to Fort Rucker, from Maxwell Air Force Base to the Anniston Army Depot and all of our Reserve and National Guard men and women in the State of Alabama—they are on the frontlines. In addition to the tens of thousands of civilians who support their work—Alabama is home to a first-class workforce that supports our national security mission every single day. So it only makes sense that this legislation continues to support the work of Alabamians and includes a well-deserved 2.6-percent pay raise for our troops.

Just as important, it also includes funds for the Missile Defense Agency at Redstone Arsenal in Huntsville. It increases space defense funding, which is so important to our Air Force. It authorizes 75 F–35 Joint Strike Fighter aircraft, some of which will be stationed at Maxwell Air Force Base in Montgomery. It provides what Senator LANKFORD talked about a moment ago—14 KC–46 refueling aircraft. I hope the Air Force will put a few of those in Birmingham for our fantastic Alabama Air National Guard, which supports so many missions around the world.

There are many more resources to ensure that our Nation's defenders are always mission-ready, and we could go on and on.

I am pleased that this legislation takes care of so many of the priorities for our military, our defense, and Alabama. I certainly plan to vote for this bill, and I commend all of those who have worked so hard to make it happen. That doesn't mean there aren't still ways we can improve this bill.

As some may know, Alabama is also home to thousands of talented welders, mechanics, and other trades men and women who build the helicopters and ships that carry our troops around the world to defend the United States and our interests. Not only are these vehicles important for an effective and responsive military, but they also support good American jobs.

One of those ships is the littoral combat ship, many of which are built in Mobile, AL, including the USS *Manchester*, which was delivered to the Navy just last month. The LCS continues to prove its value to our Nation's defense and our military, which is why I am a little disappointed that the bill we are debating this week includes only a single LCS, which is pictured here behind me. Many of them are made in Mobile, AL. Not only did the President reiterate just last week at the Naval Academy his goal of growing our Navy to 355 ships, this program also puts to work about 1,000 different suppliers across 41 States. That translates into countless American jobs.

I have seen these ships being built firsthand, and it is a tremendous production, state-of-the-art. During my first recess State work period back home in February, I went aboard the *Manchester* just before its commission, and I saw firsthand how these ships are being made and the incredible opportunities down there. To build ships like the *Manchester*, it takes 4,000 skilled workers to support the effort each day. That is 4,000 American jobs.

Right now, back home in Mobile, they are hard at work on the production lines to build littoral combat ships and the expeditionary fast transport ships, such as the USNS *Trenton*, which recently gave assistance to mariners in distress in the Mediterranean.

By not recognizing the importance of the LCS to our Nation's security, we hurt the long-term viability of the workforce in Alabama and all of the suppliers across 41 other States. To some extent, we don't recognize their importance to our national security, and we are not doing all we can as a Congress to support our national security efforts.

The Navy's future frigate, which Alabama stands ready to support, won't come online for a few more years, so those 4,000 workers in South Alabama need to keep working, not just sit tight and wait to be employed again in 2021. They need to work now. They need to continue the lines to make sure we have seamless transition.

Alabama, American jobs, national security—these are just a few of the reasons I sponsored an amendment to add a single LCS ship to this extremely important piece of legislation.

I would strongly urge my colleagues who will be in conference on this bill to increase the resources for the LCS program in the final package that will come before this body. The House version actually contains three LCS ships. So, as I have said so many times on this floor and in other places throughout this city and in these offices, I hope we can find common ground to build at least one, maybe two, more ships that are so important to our security and the Navy.

Let me be clear. This isn't just about ships; this needs to be considered in terms of long-term goals for our military. We need to build the ships that the Navy needs to do its job, we need to keep our production lines ready to go for future products, and we need to maintain the American jobs that make these efforts possible.

This really isn't rocket science. Our national security strategy and the economic stability of our country go hand in hand. Alabamians are proof-positive of that, given our long history of supplying military personnel and other aspects of our national security to help our military throughout the years.

I urge my colleagues to support my amendment and maintain a robust LCS production posture that supports our national security and economic interests.

I thank the Presiding Officer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

TAX REFORM

Mr. BARRASSO. Thank you, Madam President. As the Presiding Officer well knows, last December, Republicans voted to cut the taxes that American families pay. We simplified the tax system. We made it fairer and cut the rates.

Every single Democrat in the Senate voted against giving Americans this tax relief that they needed—every single one of them. Democrats claimed that only rich people would benefit and that businesses would never share their savings with workers. The Democratic Leader, Senator SCHUMER, actually said that tax cuts such as these only benefit the wealthy and the powerful, to the exclusion of the middle class.

So what happened? What have we seen all across America? The American people know that the Democrats were wrong. The very day the tax bill passed the Congress, AT&T came out and said they were giving their workers a bonus. The company said that 200,000 hard-working employees were going to get an extra $1,000 each directly because of the tax relief law. Over the next few weeks, more than 4 million Americans got similar good news: They were going to get bonuses too. They learned that they would be getting a bonus or a pay increase because of the tax law.

More than 500 companies have said that because their taxes went down, they were sharing the savings with their workers. In my home State of Wyoming, these are people who work at places like Home Depot, Lowe's, Walmart, and Starbucks. It is also people who work at small businesses, like Taco John's and the Jonah Bank in Casper, WY. It is people who work at the Bockman Group in Sheridan, WY. That is a local business that specializes in fencing and excavation. I had a chance to meet with all of those people. They said the employees would be getting raises for one reason, and that is because of the tax law. The owner actually said that with this tax cut, he would now move ahead with starting two new businesses this year, employing more people. That means more jobs and more economic opportunities for people in northeast Wyoming.

Another thing that we had a chance to talk about when the tax law was passed was how this would affect people's utility bills. It started happening right away. Americans noted that their utility bills starting going down. There are more than 100 utility companies across the country that have cut the rates they charge for electricity as a direct result of the tax law. And it is not just electricity; it is gas bills, water bills, all of the above.

Look at the number. One hundred and two utilities cut their rates across the country. How much money does that add up to? How much money did people actually save because bills are going down for families all across the country because of the Republican tax cuts? The tax rate cuts amount to a savings of $3 billion for American families who are paying less money for utilities. That is an incredible savings for American families.

Democrats said the companies would keep their tax savings. Instead, the savings are being passed along to consumers. That is the way it was supposed to work, that is the way it did work, and the benefit for families across the country amounts to $3 billion in lower utility rates.

Americans are starting to use more energy right now to keep their homes cool this summer. It is that time of the year. These rate cuts are very good news for families all across the country. When monthly bills get cut, they have more money to save, spend, and invest. It is their money, so they get to make those decisions on how they want to use it. That is what happens when we change the tax laws. Washington gets less, and taxpayers get to keep more.

Republicans cut taxes. Working Americans are seeing more money in their own pockets as a result. I hear about it every weekend in Wyoming. People are saying that this tax law has made a specific difference in their lives—their personal lives, for them, their families, and their children. They see it with their neighbors as well. They get more money from their jobs, they pay less in taxes, and they pay less for things, such as utility bills.

People are winning in three different ways because of the Republican tax relief law. A lot of people are seeing more

good jobs now than ever before. The numbers came out last week. People collecting unemployment insurance is at a 44-year low. They don't need the unemployment benefits because they are working. We haven't seen numbers this low since 1973. It is a sign that we have a very strong, healthy, and a growing economy. People are keeping their jobs or getting new and better jobs. If people get laid off or want to change jobs, they can get a new one right away. They don't need to go on unemployment. They don't need to collect unemployment insurance because we have a strong, healthy, and growing economy right now.

The Labor Department said that there are now 6.7 million job openings across the country. That is an alltime high. For the first time ever, there are actually more job openings than there are unemployed people who are looking for work—6.7 million openings, 6.3 million job hunters. So when looking at some of these measures, the American economy isn't just stronger than it was before the recession, it is stronger than it has been in decades.

The Federal Reserve Bank of Atlanta says that we are on a pace for the economy to grow more than 4 percent in the second quarter of this year. They actually say it may be as high as 4.6 percent. It is astonishing.

The American people don't need an economist to tell them what they see with their own two eyes in their own communities. They see that the economy as strong, the economy is healthy, and the economy is growing. All they need to do is look around their hometown, talk to their neighbors, talk to their friends, see how people who might have been out of work now have jobs and job opportunities. They are paying less in taxes, keeping more of their hard-earned money, and they are seeing it in their paychecks. The proof is in the paycheck.

I expect to see it again at home in Wyoming this weekend. Businesses are hiring, workers are getting bonuses, raises, more money in their pockets, more money in their paychecks. People across America are feeling better about their opportunities. The opportunities are there. They are real. They are being grasped by people all around the country. There is confidence. There is an optimism we haven't had previously. There is a positiveness in people's lives, and it is happening because of the policies Republicans are implementing in Congress and in the White House, in this partnership between a President and a Congress committed to cutting taxes, to slashing regulations, to letting people keep more of their hard-earned money. We have no intention of stopping now.

Democrats are continuing to look for ways to slow things down, to block the progress, and to change the subject. They don't want to talk about any of these things. Republicans are looking for ways to keep America growing and to keep America strong. That is what Republicans in Congress are committed to doing.

The American people expect us to keep going, to keep looking for ways to make America better, stronger, and safer. It is what the American people expect from us, and it is exactly what Republicans are going to continue to do.

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.

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

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

AMENDMENT NO. 2842

Ms. WARREN. Mr. President, I rise to speak in favor of the Reed-Warren amendment.

For months, I have been voicing concerns about the Trump administration's dangerous plans to develop new, more usable low-yield nuclear weapons. Specifically, this Defense bill authorizes the Pentagon to begin developing a new low-yield warhead, which the Trump administration wants to put on our Nation's submarine-launched ballistic missiles. I think this decision is strategically unwise for many reasons.

I am concerned about discrimination and the risk of rapid escalation into a nuclear conflict. As many experts have publicly suggested, Russia may not be able to distinguish between an incoming Trident missile that poses an existential threat to their nation and a low-yield nuclear missile that is intended to serve as more of a warning. That may be a risk this administration is willing to take, but it is not one I can support.

I am also not convinced that additional low-yield nuclear weapons are necessary for deterrence. Let's be clear. Together with our allies, the United States brings overwhelming nonnuclear coercive power to the table, but beyond that, the United States already possesses a significant low-yield nuclear arsenal. In fact, we are in the process of spending billions of dollars to upgrade our delivery systems in order to ensure that our flexible deterrent is capable of reaching anyplace, anytime.

I am troubled by the message that developing new nuclear weapons variants sends to the world about America's commitment to nonproliferation. Our credibility to negotiate with other countries, like North Korea, to demand that it reduce its nuclear arsenal, depends, in part, on the fact that we have long been committed to reducing our own. We must not do anything to jeopardize that progress.

That is not what this amendment is all about. In fact, I offered an amendment in committee to fence the funding for low-yield SLBM until we can better understand the impact of this new weapon on our Navy and on our obligations as a steward of nonproliferation around the world, but my amendment was not successful.

I understand that some of our military leaders, and some Members of my own party, genuinely believe this new low-yield weapon is necessary. I know my colleagues approach this seriously, and I know people with good intentions can disagree, but that is exactly the purpose of this Reed-Warren amendment. The point is, we should be having this debate right here in Congress. That is where the debate belongs.

The impact of the underlying provision currently in the Defense bill is that the Pentagon will not need to come to Congress to ask for permission to develop a new low-yield nuclear weapon in the future. Instead, they can merely notify that they intend to do so and then proceed on their own. If this Defense bill passes in its current form, Congress will have lost our best opportunity to have a say in how they will develop it, what it will cost, or how and where it will be deployed.

The argument in favor of the existing provision is that low-yield nuclear weapons should be treated ''just like any other weapon,'' but I would say this to my colleagues: That is not the case. As Secretary Mattis has said, there is no such thing as a ''tactical'' nuclear weapon and ''any nuclear weapon used any time is a strategic game-changer.'' The truth is, nuclear weapons are not like other weapons, and we should not treat them that way. We should all be able to agree that nuclear weapons are in their own class, and they deserve special scrutiny by Congress.

In fact, we have faced this very question before. Fifteen years ago, there was a similar effort to take Congress out of the debate and out of any question about the use of nuclear weapons. In that case, Senators John Warner and JACK REED offered a bipartisan compromise proposal that said the executive branch could only go forward in the development of new nuclear weapons with explicit authorization from Congress. That proposal passed unanimously, 96 to 0, including votes from 10 of our Republican colleagues who still sit in the Senate today.

The provision in the underlying Defense bill would gut that bipartisan agreement, an agreement that has held for more than 15 years. It was offered at the eleventh hour, behind closed doors, and on a party-line vote.

In contrast, the amendment offered by Senator REED today is consistent with that compromise, and a vote for the Reed-Warren amendment is a vote to sustain that bipartisan consensus.

Regardless of what you think about the development and use of low-yield nuclear weapons, as a Member of the Senate, you should vote to have a voice in that process. That is what the American people sent us here to do, and that is what we owe them.

I would like to thank Senator REED for his decades of bipartisan leadership

in this area, and I urge my colleagues to vote in favor of the Reed-Warren amendment.

I yield back my time.

I suggest the absence of a quorum.

Mr. REED. Mr. President, I believe Senator MARKEY of Massachusetts is here to speak.

The PRESIDING OFFICER. Does the Senator from Massachusetts withhold her suggestion?

Ms. WARREN. Yes, I do.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, I come to the floor to speak on behalf of the amendment being offered by my colleagues Senator WARREN from Massachusetts and Ranking Member JACK REED from Rhode Island. I strongly support this amendment, and I want to explain why.

A nuclear weapon is a nuclear weapon, period. They are the only human-made force that could destroy all of humanity in a matter of minutes. They annihilate utterly and completely. The size of the bomb does not matter. Using any nuclear weapon is a step so grave that it is, in and of itself, an act of war. It also invites nuclear retaliation. That is why President Ronald Reagan was right when he said: ''A nuclear war cannot be won and must never be fought.''

Nuclear weapons are fundamentally different than any other military capability we possess. Congress must have a role in determining when these weapons are developed, how they are managed, and if, Heaven forbid, we must ever use them again.

Oversight is one of the fundamental responsibilities of this body, and on no issue is it more important than nuclear weapons. That is why I support what Senator WARREN and Senator REED are doing. It rightly protects the role Congress must play in determining if and when we as a nation decide to develop more of the most lethal weapons on the planet.

What Senator WARREN and Senator REED are doing is ensuring that Congress must authorize developing new or modified nuclear weapons because that is all important. This authority was written into law years ago. It was a bipartisan compromise that passed 96 to 0. Congressional oversight of nuclear weapons development and deployment has long enjoyed bipartisan support, and it should now as well.

There are many, myself included, who believe we should go even further. As the only Nation to have ever used nuclear weapons against another country, the United States has a special responsibility to lead global efforts to reduce and eventually eliminate the world's nuclear weapons. This is an important issue. I am a realist, and I realize, as long as nuclear weapons exist, the United States must have a credible nuclear deterrent that is safe, secure, and reliable.

Appropriately striking this balance is one of the most consequential issues, not only for our Nation but for the whole world. It is why, for decades, Congress has played a crucial bipartisan role overseeing our Nation's nuclear arsenal. The debates have been heated. We have not always agreed, but we recognize Congress must be involved. This must continue to be the case moving forward.

So I thank Senator REED and Senator WARREN for their leadership in offering this amendment, which goes right to the heart of the question of what the role of the Congress is on this most important of all issues—the authorization for the development of nuclear weapons in our country.

From the beginning of the nuclear era, when President Roosevelt involved the Congress in the development of the Manhattan Project, until today, it has always been critical that those who are most concerned about this issue, the American people, have their elected representatives in the room.

I thank Senator REED and Senator WARREN for their leadership on this issue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, let me first thank Senator MARKEY and Senator WARREN for their comments and just state that this amendment is very straightforward and simple. It ensures that Congress has an oversight role in authorizing the development of new or modified nuclear weapons, including low-yield nuclear weapons. It reiterates what Congress does every year in the National Defense Authorization Act. I consider the oversight role of this institution essential for the Defense Department and, in particular, for nuclear weapons.

There are many devastating weapons of war in the world, but nuclear weapons are different. Thankfully, it has been over 70 years since the only time nuclear weapons have been used in war, but because it has been so long, I think many are not fully aware of the awful power of nuclear weapons. On August 6, 1945, the United States dropped a nuclear bomb on Hiroshima. In the immediate aftermath, approximately 70,000 people—mostly civilians—were killed. Tens of thousands more would die of radiation poisoning within weeks. Approximately 80 percent of the city of 350,000 people was destroyed. The second nuclear weapon, dropped on Nagasaki 3 days later, killed 40,000 immediately and approximately 40,000 more people from radiation poisoning in the following weeks. A weapon that can kill more people in an instant than the United States lost in the entire Vietnam conflict deserves close congressional scrutiny.

To provide perspective on the size of these weapons, the bomb dropped on Hiroshima was 13 to 15 kilotons. The bomb dropped on Nagasaki was 18 to 20 kilotons. A low-yield nuclear weapon is defined as a nuclear weapon whose yield is less than 5 kilotons of explosive yield. For comparison, the Massive Ordinance Air Blast bomb, or MOAB, used on an Afghanistan tunnel network in 2017—and featured all across the media as a devastating explosion—is 11 tons, or 0.01 kilotons, about 500 times less powerful than a 5-kiloton, low-yield nuclear weapon. So we are talking about an extremely powerful weapon that will result in thousands of casualties if used.

Two weeks ago, I visited General Hyten, who is the commander of the U.S. Strategic Command at Offutt Air Force Base in Nebraska. We participated in a classified exercise, involving the use of nuclear weapons. Again, the loss of life and destruction was truly sobering. I recommend that all of my colleagues participate in such a war game because it truly brings home the complexity and the essential role the Congress has in overseeing the development of nuclear weapons.

I would like to convey one point that General Hyten made to me at the conclusion of the war game—that his No. 1 job is to ensure that nuclear weapons never be used in the first place and that they act as a deterrence to their use.

With that, let me make a few observations on the amendment before us and why we are having this debate today.

The 2018 ''Nuclear Posture Review,'' released in February, recommends that the United States undertake deployment of a submarine-based, low-yield nuclear weapon. At present, the United States has several low-yield nuclear weapons, but they are deployed from the air.

The principle reasons advanced for this recommendation in the ''Nuclear Posture Review'' are, first, the development of the Russian doctrine to use low-yield nuclear weapons to ''escalate to de-escalate''; second, the inclusion of this doctrine not only in Russian plans but in repeated Russian war games; third, the significant expansion of the number of Russian nonstrategic, low-yield nuclear weapons that are not subject to arms control agreements, together with the Russian deployment of a land-based intermediate cruise missile that violates the Intermediate Nuclear Forces Agreement, or INF Agreement; and, fourth, finally, the development of extensive air defense systems over key Russian areas that could deny access to our current aircraft that would deploy a low-yield nuclear weapon.

The ''escalates to de-escalate'' strategy presumes that Russia has initiated hostilities in Europe and, after initial Russian success, either NATO forces regain the momentum and the conventional fight is turning decisively against Russia or Russia has secured its desired limited objective and anticipates a decisive counterattack by NATO. In either case, this Russian doctrine calls for a first strike with the use of a low-yield nuclear device to freeze NATO forces. The Russian logic

is that we will not respond with high-yield weapons for fear of initiating an all-out nuclear exchange, and we lack the ability to strike key targets with our airborne low-yield weapons because of their area denial air defenses. Their doctrine assumes that we will accept the existing status of Russian forces, even if they occupy NATO territory, while nonmilitary measures are pursued. This conclusion is contrary to our longstanding commitment to NATO expressed at the NATO Summit in 2016. In the words of that summit, ''no one should doubt NATO's resolve if the security of any of its members is threatened. NATO will maintain the full range of capabilities necessary to deter and defend against any threat to the safety and security of our populations, wherever it should arise.''

Now, given this threat posed by the Russian doctrine, the Nuclear Posture Review proposes that the development of a submarine-based, low-yield nuclear weapon will strengthen deterrence, raise the nuclear threshold, and make Russia refrain from a first use of nuclear weapons since we will be capable of responding in kind to hold all of their critical targets at risk. In short, it will stabilize rather than destabilize nuclear deterrence.

The inherent difficulty in evaluating this recommendation is the realization that deterrence is based upon the perceptions of both parties and the implicit and explicit communication between both parties—in other words, what we are signaling with our words and actions, and whether the adversary is accurately interpreting those signals.

This is an extraordinarily difficult question. I and many of my colleagues have struggled with it throughout our service in the Senate and, in many cases, service in our previous careers. Indeed, experts in the field of nuclear deterrence honestly disagree with respect to the recommendation of this submarine launched, low-yield weapon. Some feel it is needed; others do not.

I am increasingly skeptical that a response to a low-yield Russian attack by an American low-yield counterattack will result in both sides refraining from future use of nuclear weapons. In other words, I am skeptical that we will avoid moving upward on the escalatory ladder leading to a larger nuclear exchange.

One important issue is the selection of targets and how that affects our interpretation of Russian objectives and, alternatively, how it will affect Russian interpretations. If the initial Russian target is integral to our military operations, will we see it as ''escalate to de-escalate'' or ''escalate to prevail.'' And if we respond in a way that is interpreted by the Russians as something more than a quid pro quo, will the Russians respond again, assuming we are beginning a nuclear campaign?

Moreover, will we cease conventional operations while allied territory is being held by Russia? This is the logic behind the Russian doctrine, but it contradicts our obligations under NATO. If we press these conventional attacks, especially if we are gaining advantages, the temptation to use additional nuclear weapons by the Russians may be irresistible.

Proponents may suggest that the simple possession of this seaborne low-yield weapon will be sufficient to deter the Russians, but that assertion seems to ignore existing airborne weapons that may be directed at critical targets that are accessible to our air attack and, as such, would accomplish the limited counterresponse that seems to be behind the current proposal. In addition, much of the investments we are making in modernizing our triad—particularly with long-range standoff weapons to replace our aging air-launched cruise missiles, the B–21 and the F–35 with the life extended B61–12 gravity bomb—should by 2030 offset the increasingly complex anti-access/anti-denial environment Russia is capable of.

There are no easy answers to these questions, and answers will change over time as political, military, and economic factors change. That is why I believe it is essential that Congress maintain a central role in the development and deployment of nuclear weapons and why I strongly urge this amendment. This is about Congress's role, not about a particular nuclear weapon.

In this bill, the fiscal year 2019 National Defense Authorization Act, the request for the development of the submarine-launched, low-yield nuclear weapon is authorized. An amendment, offered in the Armed Services Committee, to require certain reports by the Defense Department before its deployment failed. It was offered by one of our colleagues on the Democratic side. Moreover, the funds are already appropriated for this weapon in the recent Energy and Water appropriations bill. An amendment to eliminate the funding at the full Appropriations Committee failed. So we are on track this year to go ahead with the development of this system, but the question is this: In the future, will Congress retain the right to make critical decisions about the development and the deployment of nuclear weapons?

So the debate today is not about whether the low-yield, submarine-launched ballistic missile will proceed. The debate today is about congressional oversight of the steps ahead on this new nuclear weapon and any other new or modified nuclear weapon.

Back in 1993, during consideration of the fiscal year 1994 National Defense Authorization Act, Congressmen Spratt and Furse included a provision that prohibited research and development that could lead to a low-yield nuclear weapon. Then, in 2002, President George W. Bush conducted a nuclear posture review, which concluded that the Spratt-Furse provision should be repealed because it purportedly had a chilling effect on the science in the DOE weapons laboratories and might be needed to destroy bunkers containing chemical or biological weapons. As a result, the fiscal year 2004 National Defense Authorization Act, reported out of committee by Chairman John Warner with Ranking Member Carl Levin, included section 3116, which repealed the Spratt-Furse provision.

When the fiscal year 2004 NDAA came to the floor for consideration in May of 2003, there was an exhaustive debate on the issue of this repeal, and several amendments were offered. The first amendment was an amendment by Senator FEINSTEIN and Senator Ted Kennedy that proposed to strike the repeal, and it lost. I, then, offered the next amendment, which allowed research and development to occur but prohibited the final development and production of a low-yield nuclear weapon.

Senator John Warner then offered a second-degree to my amendment, which allowed research and development to occur but required specific authorization for final development and production, and that is the law today. Senator Warner was very clear about the necessary role of Congress. On the floor, John Warner stated:

> In the second degree amendment, it is clear that the Congress is fully in charge, working with the Executive Branch. The Congress, and only the Congress, can authorize and appropriate the funds necessary to go one step beyond what the earlier [Reed] amendment has provided.

Well, now, while my amendment failed, the second-degree amendment offered by Senator John Warner passed 96 to nothing. Indeed, there are Members here today—our colleagues in the Chamber—who were there at the time and who voted for the modified amendment, the Warner-Reed amendment.

The John Warner amendment has been uncontested until this year in the fiscal year 2019 Defense authorization bill. An amendment offered in committee—and this is the amendment offered by the Presiding Officer—eliminates the John Warner language requiring congressional authorization for development and deployment of the low-yield nuclear weapon.

Instead, now the administration simply has to submit funding in the Department of Energy budget for new or modified nuclear weapons, not the Department of Defense budget. As such, this could be done through the Secretary of Energy, not necessarily through the Secretary of Defense. Indeed, in a strictly legal interpretation, the Secretary of Defense would have no role in this budget request. In addition, once the information appears in the budget sent to Congress, the executive branch can immediately begin using prior year's monies, subject to reprogramming guidelines approved informally by the four defense committees and not the full Senate, to begin work on a low-yield nuclear weapon.

I think it is important to note this: Under the present language in the bill

before us, it is the Secretary of Energy who could, at the request of the White House, indeed, conceivably—not likely, but conceivably, even over the objection of the Secretary of Defense—propose in his budget that we begin to develop a new nuclear device. Simply submitting that budget would authorize him to begin reprogramming funds, which would be approved, at best, by a handful of Senators. That is not the kind of consideration we must apply to develop a new nuclear weapon. It is the role of the Senate—all of us—to stand up and to state where we believe this country should be headed.

The threat and power of nuclear weapons has not changed. In fact, in the complex and unstable times of present day, with so many more states seeking nuclear weapons, I think it is imperative that Congress be more involved, not less, in the development and deployment of our country's nuclear arsenal.

Therefore, my amendment simply puts Congress back in the loop, restoring the oversight put in place by the John Warner amendment in 2003.

It is our fundamental duty to review, authorize, and appropriate, if necessary, the programs the executive branch will execute. I would contend that this is especially true, given the nature of nuclear weapons and their capability for destruction. Some may agree with the need for a new, modified, or low-yield weapon and some may not, but everyone in Congress should have a say on the issue.

My amendment simply ensures that Congress is involved every step of the way in the development of any new or modified nuclear weapon. I believe it is critical, considering the awesome destructive powers of this weapon, and I urge my colleagues to support this amendment so we can continue to exercise appropriate guidance on an issue that is existential to the survival not only of the country but of the world.

With that, I yield the floor.

Mrs. FEINSTEIN. Mr. President, I rise today in support of Senator REED's amendment to the National Defense Authorization Act.

The Reed amendment would restore congressional oversight of the development of new, low-yield nuclear weapons.

Since 1994, Congress has limited the Department of Energy's work on low-yield weapons. We have done so for two reasons.

First, many of us believe the true purpose of low-yield nuclear weapons is not to deter nuclear attack, but rather to fight unwinnable nuclear wars. We are only fooling ourselves if we believe nuclear wars can be won.

Second, we already have sufficient low-yield capabilities. They include nuclear cruise missiles and the B–61 gravity bomb. In fact, today, we are modernizing both.

We are developing the LRSO, a nuclear cruise missile, at a cost of nearly $20 billion, and we are modernizing the B–61 gravity bomb at a cost of $8 billion. That is nearly $30 billion toward new, low-yield capabilities; yet some in this body would go further.

During the Senate Armed Services Committee's markup of the NDAA, Senator COTTON offered an amendment to eliminate all existing restrictions on the development of new, low-yield weapons. His amendment, which passed on a party line vote, would allow the Secretary of Energy to develop new weapons simply by requesting funding to do so.

That is an abdication of our constitutional responsibility to oversee spending on the world's most dangerous weapons. I cannot support this action and will oppose this NDAA if Senator COTTON's amendment is retained.

It was not long ago that we debated this very issue. We would be wise to recall what happened. In 2002, the Bush administration's Nuclear Posture Review urged Congress to loosen congressional restrictions on low-yield weapons. I worked with Senator Kennedy to stop those efforts. With the help of Senator John Warner, we decided that we would allow basic research, but advanced development of new low-yield nuclear weapons would require congressional authorization. That position carried the day by a vote of 96–0 here in the Senate.

Senator REED's amendment before us today would preserve Congress's existing role to oversee the development of new nuclear weapons.

I believe it is absolutely critical that we retain our authority, and I urge my colleagues to support the Reed amendment.

AMENDMENT NO. 2366

Mr. PAUL. Mr. President, one of the most fundamental protections of our Constitution is that the government cannot imprison or punish people without due process or without being charged with a crime and a fair trial. Several years ago, Congress tried to undermine those most basic protections by saying the government could hold someone forever without so much as charging them with a crime under the powers granted to pursue Osama bin Laden in 2001.

The Lee amendment seeks to restore those fundamental protections for U.S. citizens and lawful permanent residents who are captured inside the United States. That is an important step forward, and I will vote for it. However, the Lee amendment still stops short of the protections guaranteed in our Bill of Rights.

The Fifth Amendment to our Constitution says that no person shall be deprived of life, liberty, or property without due process of law. The Sixth Amendment says the accused has a right to a speedy and fair trial. Neither of those is limited to just citizens and permanent residents. My amendment 2795 would restore these protections for all persons captured in the United States.

By restoring these protections, no terrorist suspect would be freed. The government would simply have to charge someone they believe to be a terrorist with a crime and put them on trial. I have no sympathy for terrorists and want to see them punished and locked away so they can cause no harm. I merely want the government to follow our most sacred charter, our Constitution, to do it just as we have for more than 225 years.

The PRESIDING OFFICER. The Senator from Arizona.

RESPONSIBLE DIPLOMACY

Mr. FLAKE. Mr. President, the events of last week—the baffling, inexplicable attacks on our closest allies by the administration one day and the appalling praise for perhaps the most brutal dictator on Earth the next—are not normal. This behavior is not normal. These upside-down values are not normal.

These actions mistake disruption for dynamism. They are empty bravado for bold displays of leadership. These actions are not serious or sober. They represent the opposite of statecraft, and the implications of such thoughtlessness for America, her allies, and the world could be lasting and grave.

In many ways, the President is a steward of America's foreign policy—shaping it during their time, yes, but also understanding it is based on relationships and norms that have existed since long before they took office and will continue to exist long after they exit the political stage.

Over the past several months, I have spoken of our abandonment of the international rules-based order that we took the lead in establishing. I have spoken of the profound implications of this abandonment, what it means to our economy, to national security, and to our relations throughout the world.

This administration's dangerous dance with protectionism and its unwarranted besmirching of our allies, such as Canada, are illustrative of precisely the kind of harmful implications I feared would become reality.

This is not a matter of one instance of a poor word choice or a single moment of absentmindedness; this attitude of contempt for those nations that share our values and respect for those who do not has been a common thread throughout the administration's actions over the past 18 months.

It is disturbing when the American President and his administration are going on about the ''great personality'' of the murderous dictator, Kim Jong Un, or how Kim ''loves his country very much,'' while at the same time calling the Canadian Prime Minister ''obnoxious, weak, and dishonest'' for merely pushing back on imposed tariffs or declaring that the European Union is ''solidly against'' the United States when it comes to trade policy.

Consistently ridiculing our allies by suggesting they are somehow abusing us, while voicing admiration for despots and dictators, represents a fundamental departure in behavior for American administrations. It represents a

fundamental misunderstanding of our relationship with our allies.

It is understandable that we will have disagreements with our allies, but that does not justify upending the international framework and foreign relations painstakingly constructed and cultivated by previous generations of leaders.

Issues we have with allies ought to be addressed through constructive dialogue, not bellicose taunts or bombastic tweets. Such behavior is beneath the Presidency, and it is destructive to the position of global leadership this Nation holds. It projects to the world not American values but some sort of creep nihilism.

I am astonished to use that word, ''nihilism,'' to describe the actions of any administration, of any party—much less my own—but it is our obligation to call what is happening by its name.

When we read this week in The Atlantic, quoting a senior White House official as saying that the ultimate goal of the administration is to destroy the international order so America will, as a matter of policy, have ''No Friends, No Enemies,'' then ''nihilism'' is the only word for it.

If I may echo the sentiments of our absent colleague Senator MCCAIN, I would like to make clear to our allies from the Senate floor that a bipartisan majority of Americans stand with you. We stand in favor of the principles of free trade, which have brought about unprecedented prosperity around the world. We stand in favor of preserving alliances based on 70 years of shared values, which have helped secure equally unprecedented peace and comity among nations. As Senator MCCAIN plainly stated, ''Americans stand with you.''

Attacking our friends is not who we are as a nation. It is not responsible diplomacy. It is not helpful to our goals as a nation, and it cannot become the norm, but I fear it is becoming the norm, and that is devastating and it is a reality we must face in this Chamber.

We continue to act here as if all is normal, as if all parties are observing norms, even as the executive branch shatters them, robustly trafficking in conspiracy theories and attacking all institutions that don't pay the President obeisance—our justice system, the free press. The list is getting longer.

This institution—the article I branch of our government—is not an accessory to the executive branch, and we demean ourselves and our proper constitutional role when we act like we work for the President and that we are only here to do his bidding, especially now.

With the time I have left in this Chamber, I will continue to speak out, and I invite my colleagues who are disturbed by the recent treatment of our allies to do the same, but as vital as I feel it is to speak out, for the record and for history, it is clear that in the face of such an unprecedented situation, words are not enough. Mr. Madison's doctrine of the separation of powers tells us it is our obligation to act.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, we will be voting on the National Defense Authorization Act soon, which enjoys a storied history in the Congress. Fifty-seven consecutive years we passed the National Defense Authorization Act in order to support and equip our military. Earlier this month, the Senate Armed Services Committee voted overwhelmingly—25 to 2—to advance this important legislation to the floor.

There are 1.8 million Americans around the world on Active Duty, according to the Department of Defense. The United States has 737 military installations worldwide, and the Department of Defense is the world's largest employer. Supporting all of these people and facilities is a Herculean task, and the Defense authorization bill is one very important way we do that. It is how we make sure the men and women in uniform are paid, our alliances are strengthened, and that military facilities are properly modernized and maintained.

This bill we will be voting on will support a total of—it is an authorization—$716 billion for these tasks. Occasionally, people ask: Isn't that too high a price to pay? Well, $716 billion is unquestionably a lot of money, but the simple fact is, there is no one who shares our values who can step in and fill the void left by an absence of American leadership. It is American leadership that keeps the world stable—or at least as stable as it is—that helps keeps the peace and helps fight the scourge of things like terrorism. There is no substitute for the United States of America.

There are countries I will talk about in a moment—such as China—that want to surpass us both economically and militarily, but it is important for our very way of life and for peace in the world that the United States continues to live up to its responsibilities to lead when it comes to national security.

In my home State, there are roughly 200,000 men and women stationed at places like Fort Hood, Joint Base San Antonio, the Red River Army Depot and Ellington Field. These are the people I think of each year as we take up and pass the Defense authorization bill. They rely on us to supply them what they need in order to do the tasks they have volunteered to do.

One thing this bill will do—and it sounds very modest—is provide a 2.6-percent pay increase, the largest in nearly 10 years for our uniformed military.

Given the state of today's world, maintaining our military readiness has never been more important or more difficult. The array of national security threats facing the world is more complex and diverse than at any time since World War II. Our leaders say, the strategic environment has not been this competitive since the end of the Cold War. Simply put, America no longer enjoys a comparative advantage that it once had over its competitors and its adversaries.

Secretary of Defense Mattis and the Department of Defense have admirably crafted the national defense strategy that was delivered to Congress earlier this year. This is a critical first step for the administration to lay out its strategy, but now that strategy must be implemented, and the Defense authorization bill will align our policies and resources in a way that will accomplish that.

This legislation will modernize the military's rigid, outdated personnel management system to increase the adaptability of the force, increase its lethality, where necessary, invest in emerging technologies to ensure that our troops have what they need in order to be successful, and reform the Department of Defense to empower strong civilian leadership.

I am glad there are two pieces of this bill that are included and that I want to highlight in particular.

The first is called the Children of the Military Protection Act. I believe the Senator from Maine is my chief cosponsor, and I thank him for that. This will close a jurisdictional loophole affecting military installations where minors commit criminal offenses on base. This issue was brought to my attention by an Army JAG officer—a judge advocate general, a lawyer—who was concerned that juvenile sexual assault cases were falling through the cracks when the Federal Government chose not to prosecute because, naturally, this would end up in the jurisdiction of U.S. attorneys and the Federal courts, and certainly their plate is full. This was a particular problem, though, at Fort Hood in Central Texas.

This legislation will allow Federal prosecutors to retrocede jurisdiction to the State; that is, allow the State to step up and prosecute these cases, allowing State-level authorities to take up the case when the Federal Government's other responsibilities and finite resources prevent it from being able to do so.

This is, as I said, a bipartisan priority that Members of both sides of the aisle should rally behind.

Our children who live on military bases must be protected at all costs, and when they are sexually assaulted, their juvenile assailant should not escape justice because of the constraints of the status quo.

The second piece of legislation I have introduced and that I am pleased has been included in the NDAA—the Defense authorization bill—involves how we address future threats to our national security. I have spoken quite a bit about China recently. My friend from Maine, who serves on the Intelligence Committee, as do I—we hear

quite often about the challenges confronting us from our rival China. But that country bears mention again right now because of its connection to the Defense authorization bill.

The chairman of the House Armed Services Committee, Chairman THORNBERRY, has recently said that it is in ''the Indo-Pacific region [where] the United States faces a near-term, belligerent threat armed with nuclear weapons and also a longer-term strategic competitor.'' He has described that as being a threat to the United States in the Indo-Pacific region where we face a near-term belligerent threat armed with nuclear weapons—that would be North Korea—along with a long-term strategic competitor, and that would be China, that Chairman THORNBERRY is referring to.

That is why this year's Defense authorization bill, among other goals, prioritizes military readiness in that region and strengthens key partnerships. It promotes stability and security in the Indo-Pacific region through exercises with our allies, and it maintains our policy of maximum pressure on North Korea as we seek to negotiate the denuclearization of the North Korean peninsula.

But another main provision in this legislation that has to do with the Indo-Pacific region in particular, which I have cosponsored, along with Senator FEINSTEIN, the senior Senator from California, is known as the Foreign Investment Risk Review Modernization Act, or FIRRMA. This legislation will allow us to better intercept threats to our national security posed by China when its companies masquerade as normal corporate actors. But it has been well documented that China is intent upon not only stealing our intellectual property, but also acquiring the know-how to build dual-use technology in China and thus undermine our industrial base here in the United States. They do so by evading current law, by mergers, acquisitions, and joint ventures. This legislation will modernize the review process led by the Secretary of Treasury to make sure that foreign investments in the United States protect our national security.

This is not intended to discourage foreign investment. Foreign investment is a good thing. But when countries have an explicit strategy to try to acquire cutting-edge technology that has military applications, it obviously is a concern to our national security.

As I said earlier, the Defense authorization bill is important for many reasons that hit closer to home. For example, in Texas, this bill has traditionally authorized needed improvements at Texas military facilities. We have an all-volunteer military. That means we have to not discourage people from entering the military or being retained in the military. One of the ways we do that is by making sure that we maintain improvements at our facilities, as well as provide updated aircraft, ships, and ground vehicles. All of these have Texas implications too.

So when I vote yes on the Defense authorization bill soon, I will be thinking of these servicemembers—my constituents back home who proudly wear the uniform of the U.S. military—as well as all of those troops stationed overseas. I encourage all of our colleagues, let's make sure we get this NDAA, the Defense authorization bill, across the finish line as soon as possible.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Mr. President, I wish to commend the Senator from Texas for his leadership both on the juvenile justice provision of the National Defense Act, and also, very importantly, on foreign investment. We often hear around here testimony about all-of-government efforts. What we are facing is an all-of-society effort from some of our competitors—principally, China. Their private sector and their public sector are sometimes indistinguishable when it comes to investments. That is why this modernization act that the Senator from Texas has taken the lead on and has included as an amendment in the National Defense Authorization Act is vitally important to national security.

I just want to thank the Senator for his leadership on a very important issue and commend the work of the committee in including it in the bill. Like the Senator, I look forward to supporting this bill. I think it is important on many levels, but since the Senator is on the floor, I wanted to commend him for his leadership on these issues.

FOOD LABELS

Mr. President, I come to the floor today to talk about a regulatory issue. It would be easy to joke about it, and I will probably not be able to resist a few puns along the way, but it is very serious.

The Food and Drug Administration is reviewing food labels. They want to make them more understandable. They want to make them more informative to people when they are purchasing food in the grocery store. They have increased the font size on the calorie serving size, the number of servings in a container, and this all makes sense. But there is a place where the proposed rule of the FDA goes off the rails, if you will, and that involves maple syrup and honey, which the agency is suggesting should have on its label ''added sugar.''

Well, maple syrup and honey essentially are sugar. And in pure maple syrup, in pure honey, which we produce in our State and other States in the Northern Tier, nothing is added. To add the phrase ''added sugar'' to maple syrup and honey makes no sense and is indeed confusing to the consumer because if you read a label that says ''maple syrup'' and it says ''added sugar,'' your natural assumption is somebody has put more sugar in there. That is what you would take from that.

Indeed, that is what this label requirement that has been proposed would do. It would actually undermine the good work that has been done by the maple syrup industry and the honey industry over the years to explain to consumers the difference between pure honey and pure maple syrup and other products that have other things in them and may have sugar added.

This is a photograph of where maple syrup comes from. This is a maple tree, and the farmer is tapping it. These tubes all lead to a maple house. Making maple syrup is not easy. It takes 40 gallons of sap to make one gallon of syrup. That is why we call it liquid gold. It is a wonderful product. It is a pure product. There is nothing that is added between the tree and the jar that you buy in your grocery store if, indeed, it is real maple syrup. Nothing is added.

Last week, I visited a wonderful guy in Maine who is known as the Bee Whisperer, and he—or rather his bees—makes honey. We were out in a back field where the hives are. I said: How many bees are out there? He sort of scratched his head and said: About 3 million. Bees are in the hives in this back field of the Bee Whisperer up in Maine and when the honey comes into the combs, they scrape the wax off the top. The wax is created by the bees, by the way, so it is a totally natural product. The honey then comes out, and here it is coming out into a jar.

This is pure honey. To add to this label ''sugar added'' makes no sense because it is not. There is nothing added, except what the bees produce.

So this is a case where I think what we are talking about is a well-meaning attempt on the part of this agency, the FDA, to inform consumers, but, in the process, what they are really doing is misinforming them.

Honey comes from the bee to the jar—nothing in between. Maple syrup comes from the tree to the jar—nothing in between. Nothing is added. The only thing that is added by this proposed regulation is confusion, and confusion is the whole thing we are trying to avoid here.

We are not adding sugar. Sugar isn't added into maple syrup and into honey. If you put ''added sugar'' on the label, it will make the consumer think that this isn't a pure product, and it will undo 50 years of effort to make the public understand the difference between pure maple syrup and pure honey and something that may indeed have some added ingredient.

MaryAnne Kinney—by the way, MaryAnne's husband is the guy that was tapping the tree that I showed a minute ago—is a State legislator in Maine, and she is also a maple producer, and she is in Washington this week spreading the word about this issue. I just want to add my voice to it because this would have a significant impact on these industries nationwide. These are important businesses. In

Maine, maple syrup is a $20 million-a-year business.

I have to admit that one day years ago, when I was the Governor of Maine, we used to tap a maple tree in the front yard of the Governor's residence every year. It was a ceremonial event. The press was there. I went out one year to tap that tree, nailed one of these guys into the tree, and then the sap dripped out into the bucket. This is the old fashioned way. The new way is what I showed before; the tubes run right to the sugar house.

The press was there, and they said: Governor, what do you think of Vermont maple syrup? I said: Vermont maple syrup? Are you kidding me? We use that in cars in Maine; we don't eat that stuff. Well, it started a war with the Governor of Vermont, which we settled amicably, I might add.

Maple syrup is important to us. I think this is would be a funny issue if it weren't so serious for producers. As a matter of fact, when you say they are going to put ''added sugar'' on a label for maple syrup, most people think it is kind of funny, but it is not funny to the industry.

So I can't resist, Mr. President: I am hoping for a sweet ending to a sticky mess and that the FDA this week will do the right thing.

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. ROUNDS. 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. ROUNDS. Mr. President, as a member of the Senate Armed Services Committee, I am pleased that we as a committee have once again come together in a bipartisan fashion to advance the National Defense Authorization Act, or NDAA, which I believe is a vital piece of legislation for our national security.

I thank the chairmen and ranking members in both the House and Senate for their leadership—Senator INHOFE—and the Members on both sides of the aisle who have continued to work together on this very important Defense bill.

Congress as an institution continues to come together each year to show our troops and their families that they have our full support. The Federal Government's No. 1 responsibility is to provide for the defense of our Nation.

This year's NDAA, the John S. McCain National Defense Authorization Act, honors our chairman, who has dedicated his life to serving our country. Few people are more passionate about our troops and our military readiness than Chairman MCCAIN, and the courage he has exhibited during his years of service and in his current battle has inspired all of us. I am pleased we were able to put together legislation bearing his name that builds on last year's efforts to provide adequate tools so our forces can fully rebuild our military and adequately address the challenges they face.

The most important capability we have is our people, the men and women in uniform who defend our Nation and the families who give them the strength to do so. That is why I am pleased that this year's NDAA includes a 2.6-percent pay raise for our troops.

We are also fortunate that the leader of our Armed Forces, Defense Secretary James Mattis, has provided us with a national defense strategy that clearly articulates the current and emerging threats we as a nation are facing. This strategy focuses on the central challenge facing our Nation: the reemergence of long-term strategic competition with our near-peer competitors, such as Russia and China. It is our duty to provide Secretary Mattis and all of our troops with the tools they need to execute this strategy.

The world is more dangerous than at any time since the Cold War era. China and Russia are both strategic competitors. Great uncertainty still remains on the Korean Peninsula. Iran continues to threaten Middle Eastern stability. Our forces remain engaged in combat in Afghanistan and are conducting counterterrorism in multiple areas of operation.

Our superiority in the maritime, air, ground, space, and cyber domains—once taken for granted—is constantly challenged by our strategic and regional competitors.

Even more concerning, the threat of sequestration and repeated continuing resolutions has prevented our troops from being fully equipped to prepare and defend against these threats. As a result, modernization, readiness, and sustainment have all suffered.

It is our duty to provide funding stability and avoid arbitrary budget caps that constrain defense spending below that which is required to protect our Nation. Failure to provide adequate, stable funding disrupts planning, impacts responsible obligation of critical funding resources, degrades readiness, and inhibits modernization, and there have been disturbing real-world consequences.

The high operational demand with an insufficient fleet, overburdened maintenance infrastructure, and an erosion of training all were factors in a string of recent Navy surface fleet incidents. The Marine Corps and Air Force have had their own serious readiness issues with the F–18 and the B–1 fleets, which experienced multiple class-A accidents, some of which caused the loss of life. The shortage of pilots in every service is a strategic readiness concern that must be addressed.

Our sailors, soldiers, airmen, and marines deserve the very best in training and equipment. This year's NDAA does that by providing a total of $716 billion in fiscal year 2019 for national defense.

Voting for this vital legislation is not—I repeat: not—an act of budget-busting. In fact, in 2010 we spent $714 billion—just $2 billion less than this year—on national defense, but a dollar went a lot further back then. Adjusted for inflation, this bill actually authorizes more than $110 billion less than in 2010 buying power. We are slowly digging ourselves out of a hole that has hollowed our Armed Forces. The real budget-busting is being done with mandatory spending, and we don't even vote on mandatory spending.

Since the Cold War, the stakes for failing to take decisive action have never been higher. This legislation will enable our Armed Forces to continue taking necessary steps to rebuild and restore our national security.

As an example, in the Navy—this year's NDAA builds on last year's bill to improve ship and aviation readiness and the infrastructure necessary to support the fleet, which directly addresses a significant problem the Armed Services Committee has examined in multiple hearings this year. Significantly, it improves the Navy's capacity to execute maintenance in naval shipyards by continuing to grow the workforce while investing in shipyard infrastructure, including facilities, equipment, and information technology. This increase in workforce will help the Navy to meet scheduled ship maintenance, support additional ships, and reduce the backlog that has accumulated from over a decade of increased operational tempo.

Similar plans to restore readiness will be executed across the force so long as we honor our commitment to invest in a complete life cycle acquisition system.

As chairman of the Cybersecurity Subcommittee of the Senate Armed Services Committee, I am pleased that the NDAA includes important provisions that take steps to address the serious cyber threat our Nation faces. This includes providing the Secretary of Defense with the authority to conduct military operations in cyber space, developing a program to establish cyber institutes at educational institutions, and investing in cyber programs in the defense industrial base. These are important steps we can take to defend the Nation in the cyber domain.

I am also glad that the bill we are considering today includes strategic measures that I offered to improve officer personnel management and increase the capabilities of our training ranges throughout the Department of Defense to better support the objectives outlined in the national defense strategy. Today, a number of our personnel and training systems are outdated and fail to provide our forces with the tools they need on the modern battlefield. This bill changes that.

While we champion this year's bill, we must also extend our view beyond fiscal year 2019. We must be prepared for the future while reacting to the present, especially as it relates to funding. For the past 3 years, I have served

as a member of the Senate Armed Services Committee, bearing witness to potential challenges that could threaten our national security if we do not address arbitrary budget caps placed on our defense. These arbitrary budget caps have forced the kinds of false choices that are potentially so devastating for our Armed Forces.

We must also avoid the false choice of paying for readiness while assuming risk for modernization or vice-versa. We cannot let the pursuit of the perfect modernization solution prevent us from implementing mature technologies—to address short-term capability gaps—now, today.

The bill we are considering today avoids these choices.

In closing, I thank Chairman MCCAIN, Ranking Member REED, Senator INHOFE, and my other Armed Services Committee colleagues and everyone on staff for their work on this year's NDAA.

I look forward to getting this bill to the President's desk in a timely manner as we continue our strong tradition of coming together on a bipartisan basis to support our troops and their families so that they can continue to keep us safe.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

CONGRATULATING MITCH MCCONNELL AS THE LONGEST SERVING SENATE REPUBLICAN LEADER

Mr. BLUNT. Mr. President, I begin today by congratulating my friend, the senior Senator from Kentucky, Mr. MCCONNELL, on becoming the longest serving Republican leader in the history of the Senate.

This is an institution where somebody once wisely, I think, observed that there are only really two rules. Unanimous consent and total exhaustion are the way the Senate has in the past reached conclusions. That would not be and is not an easy group to lead. But I think Senator MCCONNELL, more than any other Member of the current Senate, appreciates and understands the institution in ways that very few people do. He used the skills of understanding the uniqueness of the Senate. There is no other legislative body designed, as this body was, to be sure that the minority is heard and to be sure that the time we take is adequate for points of view to be put out there.

During that time, in the past year, Senator MCCONNELL has led our conference and the Senate in delivering the biggest tax overhaul in three decades, confirming a record number of circuit court judges, and overturning unnecessary regulations that were holding the economy back, and that is not easy to do.

Every Member of the Senate comes here on their own. They come here working for the people who elected them. In many ways, we have 100 independent contractors who understand their bosses—the people they work for—and the States they come from better than anybody else on the Senate floor does. Now, that is not a bad thing. That is an indication of bringing democracy to a place that has only 100 Members and always has almost 100 different points of view.

Senator MCCONNELL has earned the confidence of his colleagues. He has led the Senate in a good way. I am proud to call him my friend. He was the Senate whip when I was the majority whip in the House, and I am grateful for the 11 years, 5 months, and 11 days of steady leadership he has given.

Now, Mr. President, with the Democratic and Republican leaders, the majority and minority leaders, both doing what they need to do, the work of the Senate continues.

This is the 57th time the Senate has dealt with the National Defense Authorization Act. It is the only bill that we pass as an authorizing bill every single year, and I think that is highly appropriate. The No. 1 job of the Federal Government is to defend the country, and we give that issue a different level of time on the Senate floor every year than we do anything else.

The national security threats facing the United States today are more complex and more diverse, certainly, than at any time since World War II and maybe at any time ever. The United States hasn't seen the kind of strategic competition we see from other places. We haven't seen the diversity of opposition that democracy faces today. Frankly, our competitive advantage is not what it once was. Our advantage on the battlefield is not what it once was. It is still better than anybody else but not as overwhelmingly better as we were at one time.

For us to continue to be successful, we have to maintain that military advantage. We have to counter our potential adversaries. As Senator ROUNDS just mentioned, we have to look at the new potential of cyber warfare, being sure our cyber advantage, our technological advantage, can't be disrupted because someone else has developed a way to get into our systems better than we developed ways to defend them. That is not an acceptable conclusion. We need to work to defend an international order that has advanced our security, that has advanced our prosperity, and that our allies and partners are an intricate part of. This requires us to be sure we are always ready.

Secretary of Defense Mattis and senior leaders of the Department of Defense have spent a lot of time crafting the national defense strategy. This bill makes it possible for us to pursue that strategy. This is not a bill where the Members of the Senate pretend to be the master strategists of our defense, but it is a bill that allows the Members of the Senate, with oversight, with responsibility to the people we work for, to be sure that plan not only makes sense but is supportive.

In the National Defense Authorization Act, there is a total of $716 billion. Half of all the discretionary money we spend, we spend on this topic. This would be another time to repeat my observation earlier that this is our No. 1 priority as the Federal Government or we wouldn't be spending half of all the discretionary money we spend on this.

We need to be sure we keep faith with those who are serving, to be sure they have the best resources, the best equipment, the best training that is possible.

Importantly, the authorization bill provides our servicemembers with a pay raise, a 2.6-percent pay raise. That is the biggest pay increase in a decade, and it needs to happen. It authorizes crucial multiyear procurement authority to keep our lines of defense production open. You have to have more than a 12-month commitment to build things like the F/A–18 Super Hornets that are made in St. Louis. We have been using those aircraft at a high volume of use, part of flying package after flying package. The Middle East has impacted our use of those planes and others.

This is a bill that says: OK. We need to be sure we are looking forward not just for 12 months but for a multiple series of months to allow that line and the great men and women who work on it to keep it going.

The NDAA invests in emerging technology, and we do all we can to assure that our troops have what they need to make their mission successful. This bill makes significant investments in research and engineering to be sure that, again, we have the cutting-edge military technologies, and we have the cutting-edge ways to defend those military technologies.

It is hard for me, when we come to this bill every year, not to make the point that we want to be sure Americans are never in a ''fair'' fight; we want to be sure they always have all the advantages anytime they engage to protect our freedoms.

This bill recognizes the critical importance of our allies and our partners around the globe who fight together with us, who have shared responsibilities with us. This bill provides support to counter what we see the Chinese doing in the South China Sea or what we see the Russians doing as they look to—and obviously resent the success of NATO—both economic and defense of those NATO countries. It continues the fight against ISIS and terrorists in Afghanistan.

We are hopeful—I am hopeful we have some language in this bill where, as opposed to an annual designation that recognizes those who have been wounded and injured in the service, we could make that an annual Silver Star Service Banner Day. I am grateful for the work those families do every year, and I hope we can continue to honor them in this bill.

This would, frankly, be a perfect bill to honor families of those who have been injured and wounded in service, as it also recognizes the incredible service

of JOHN MCCAIN. I can't think of anyone whose life of service to this country is more exemplary, is more determined, is more vigorous than his commitment to the people who serve but also to the taxpayers we work for.

The John S. McCain National Defense Authorization Act is named for the chairman. He has given so much of his life to our service. This is a bill that I hope appropriately honors his service, as I also hope it appropriately does what we need to do to honor our No. 1 priority—the defense of America.

I yield back.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I couldn't have said it as well as the Senator from Missouri. This is the John S. McCain reauthorization bill and obviously he is deserving of much more than that.

AMENDMENT NO. 2842

Since we are going to have the votes in just a few minutes—two votes—let me make a couple of comments, and then I will yield to the Senator from Rhode Island. I believe the first vote we are going to have is going to be the Reed amendment, and I do oppose it. This amendment would require congressional authorization for the development of nuclear weapons for one simple reason we already require. Congress is already required to authorize the development of nuclear weapons in each year's authorization and appropriations bill.

The debate is not really about the authorization; it is about the ''Nuclear Posture Review.'' The ''Nuclear Posture Review'' calls for the United States to develop a low-yield nuclear capability, which some in Congress are against. That is fine. That is what this vote is on. We should debate it. We have debated it in the past, certainly in our committee we have, and that is the reason it is on the committee and would have to be taken off on the floor, if that is the desire of the majority of Members. That is not my desire. That is what we did.

The Armed Services Committee considered an amendment to limit low-yield authorization, debate its merits, and voted it down by a bipartisan vote of 16 to 11. There is certainly support for it.

Let's be clear. The purpose of developing the low-yield capability is the same as our entire nuclear enterprise—deterrence. According to the NPR, Russia believes we have a gap in our nuclear capability because we have no low-yield nuclear warheads. As a result, they may perceive that limited nuclear first use, including low-yield weapons, would present the United States with two bad choices in response: escalate or do nothing. Since neither response would be acceptable, Russia may see this as an opportunity to gain strategic advantage through the use of nuclear weapons. We must correct this Russian misconception.

Simply put, the NDAA authorizes the development of low-yield capability to make nuclear use less likely, to preserve and enhance deterrence. That is what this is all about. I heard arguments—and we debated this for many hours in the committee, and it is one that I think we ought to have every capability the Russians have, and of course we will not have that unless we have the low-yield capability. I would hate to have our country in a position where the only choice we have is to do nothing or to use the high-yield equipment that we don't want to use.

I will save my remarks on the next amendment, the Lee amendment, until after this so we can give Senator REED the opportunity to visit about his amendment.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, first, let me thank the Senator from Oklahoma for his graciousness in allowing me to respond.

As I read the language of the bill, the language we had in place since 2004 was stricken. That language prohibited, essentially, the production and development of a low-yield nuclear device without congressional authorization. In addition to that, the language that was inserted in the bill that is before us now creates a process, whereby in order to begin work in production and development of a low-yield or perhaps even any type of nuclear weapon, the Secretary of Energy simply must submit the request in the budget, at which point they can begin reprogramming funds that already had been appropriated to start moving forward with the development of not only the low-yield nuclear weapons we are talking about now but in the future, additional ones. The essence of my amendment is clearly to get to the point where we are considering going forward with any new proposal by the administration. I will emphasize, too, the way this language is crafted in the bill, it is the Secretary of Energy—it is not the Secretary of Defense—that puts it in his budget. Once it is in his budget, then they can begin to move money around. It could be for this submarine launch system or it could be for a system we have had in the past. We had nuclear field artillery in 1950s and 1960s. It might not be, frankly, the Secretary of Defense or anyone else. It might be the President or the NSC that decides to do that. I am simply saying we have had for a decade or more the responsibility, the obligation, to authorize new nuclear weapons and specifically low-yield weapons. That is why we have to include in this bill a specific authorization for this proposed submarine low-yield nuclear weapon.

If the language existed as is in the bill now, next year I don't think we would have that requirement. The Secretary of Energy could simply put it in his budget and then say: It is ready to go. I am moving money around. I am going to get ahead and create a new low-yield device—maybe not a submarine device, maybe a short-range rocket for the U.S. Army or a field artillery piece, which the chairman from Oklahoma understands because we were both in the service when they had those. This simply says, we as the Congress have the obligation and responsibility to say the provide oversight and authorize any such system. That is why we are on the floor today with respect to this low-yield submarine weapon system, because if we did not stand up and authorize it, it could not be constructed.

As we go forward, I think we still would have to have that congressional responsibility, particularly in a world that is becoming increasingly complicated by nuclear weapons not just from the major powers but by rising powers by many countries.

I urge my colleagues to support the amendment. It simply maintains the status quo and says, if we are going to develop a new weapons system, come to us. We can debate it. We approve it or we don't approve it, but the American people can rest assured that this is not something that has been simply moved through the administrative channels of any Executive, this President or any other President.

With that, I will ask for support.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. In just a moment, it is my intention to table the Reed amendment. I want to say this. This is the way things should work. We have debated this. We have debated it in committee. I have heard his very logical remarks and positions, and he has heard mine. We have an honest disagreement, and I think this is a better example than some of the things we heard recently from some of our colleagues.

Mr. REED. I thank the Senator.

Mr. INHOFE. Mr. President, I move to table Reed amendment No. 2842 and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from Illinois (Ms. DUCKWORTH) is necessarily absent.

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

The result was announced—yeas 47, nays 51, as follows:

[Rollcall Vote No. 121 Leg.]

YEAS—47

Alexander	Cassidy	Daines
Barrasso	Corker	Enzi
Blunt	Cornyn	Ernst
Boozman	Cotton	Fischer
Burr	Crapo	Flake
Capito	Cruz	Gardner

Graham	Lankford	Sasse
Grassley	Lee	Scott
Hatch	McConnell	Shelby
Heller	Moran	Sullivan
Hoeven	Perdue	Thune
Hyde-Smith	Portman	Tillis
Inhofe	Risch	Toomey
Isakson	Roberts	Wicker
Johnson	Rounds	Young
Kennedy	Rubio	

NAYS—51

Baldwin	Hassan	Nelson
Bennet	Heinrich	Paul
Blumenthal	Heitkamp	Peters
Booker	Hirono	Reed
Brown	Jones	Sanders
Cantwell	Kaine	Schatz
Cardin	King	Schumer
Carper	Klobuchar	Shaheen
Casey	Leahy	Smith
Collins	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	McCaskill	Udall
Donnelly	Menendez	Van Hollen
Durbin	Merkley	Warner
Feinstein	Murkowski	Warren
Gillibrand	Murphy	Whitehouse
Harris	Murray	Wyden

NOT VOTING—2

Duckworth	McCain

The motion was rejected.

The PRESIDING OFFICER. The Senator from Utah.

AMENDMENT NO. 2366

Mr. LEE. Mr. President, I wish to speak for a moment about an amendment I offered, the Due Process Guarantee Act amendment. This is based on a bill Senator FEINSTEIN and I have introduced together. It has one purpose: to protect American citizens and lawful permanent residents on U.S. soil from being apprehended here and indefinitely detained.

In Federalist No. 84, Alexander Hamilton appropriately referred to arbitrary unlawful imprisonment as one of the favorite and most formidable instruments of tyrants. If our country is to make sure that it avoids this mistake, our country needs to undo a decision that was made in section 1021 of the National Defense Authorization Act passed by this body for fiscal year 2012, which is still in effect today.

This amendment does one thing, and it is very simple. It simply says that if you are a U.S. citizen or a lawful permanent resident, you may not be indefinitely detained on U.S. soil without trial, without charge, without access to a jury or to counsel. These are not radical concepts. These are simply fundamental American concepts. These are concepts required by the Constitution itself.

It is not too much to ask to suggest that we should have a vote on this year's National Defense Authorization Act, given that it was a National Defense Authorization Act passed 7 years ago that put this in place to begin with. In the following Congress, a virtually identical version passed by a supermajority vote of 67 votes. For reasons I have never been able to understand, it was stripped out in the conference committee later.

Today we have the opportunity to undo the wrong that was placed into law then. We must prohibit indefinite detention of American citizens apprehended on U.S. soil. That is what this amendment does.

We should be voting on it. We should not be blocked from getting a vote. I, therefore, implore you, with all the energy I am capable of conveying, to vote no on this motion to table.

The PRESIDING OFFICER (Mr. TOOMEY). The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I want the same 30 seconds.

I implore you all to understand the difference between fighting a crime and a war. The Senator's amendment, as drafted, applies outside the United States.

Remember Anwar al-Awlaki, the American citizen who hid with al-Qaida in Yemen? We killed the guy. If we had captured him, the last thing I would have wanted him to hear is, ''You have a right to a lawyer,'' because he is now part of the enemy force.

The case law is very clear here. You had saboteurs from Germany marry up with American citizens in Long Island to commit sabotage in America. In re Quirin, the Court held that an American citizen who joins the enemy force can be an enemy combatant under law of war and tried by the military.

We have a case where a man was held at Charleston for 5 years—Mr. Padilla, who sided with al-Qaida. The court said it doesn't matter if you are captured in the United States. Your activity matters.

Here is what I want. I don't want to read these guys their Miranda rights because they are recruiting in our own backyard. American citizens are high on the list of al-Qaida and ISIS to use against us. When we capture them, I don't want to read them the Miranda rights.

We don't have to hold them indefinitely. If an American citizen is suspected to join the enemy, let's have a hearing about whether or not they have given up their citizenship. That way, we don't have to read them their Miranda rights and lose the ability to interrogate a person who has joined the enemy.

What you are doing is incentivizing ISIS and al-Qaida to find an American because they have protections other people would not have in their own backyard. It is insane to say America is not part of the battlefield. Ask people in New York if America is part of the battlefield. Ask people in the Pentagon if America is part of the battlefield. If you think America is not part of the battlefield, vote with him. If it is, table this amendment.

Mr. LEE. Mr. President, I ask unanimous consent for 30 seconds to respond.

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

Mr. LEE. Mr. President, this bill does not apply to people apprehended outside the United States. It does not apply to you at all if you are not a U.S. citizen or a lawful resident on U.S. soil at the time of your apprehension. This should not be controversial. This, in fact, is made noncontroversial by the Constitution itself.

I urge you to vote no on this motion to table.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. I move to table Lee amendment No. 2366 and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from Illinois (Ms. DUCKWORTH) is necessarily absent.

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

The result was announced—yeas 30, nays 68, as follows:

[Rollcall Vote No. 122 Leg.]

YEAS—30

Blunt	Grassley	Rounds
Boozman	Hyde-Smith	Rubio
Burr	Inhofe	Sasse
Capito	Isakson	Shelby
Corker	Johnson	Sullivan
Cornyn	Manchin	Thune
Cortez Masto	McConnell	Tillis
Cotton	Perdue	Toomey
Donnelly	Portman	Wicker
Graham	Roberts	Young

NAYS—68

Alexander	Gardner	Murkowski
Baldwin	Gillibrand	Murphy
Barrasso	Harris	Murray
Bennet	Hassan	Nelson
Blumenthal	Hatch	Paul
Booker	Heinrich	Peters
Brown	Heitkamp	Reed
Cantwell	Heller	Risch
Cardin	Hirono	Sanders
Carper	Hoeven	Schatz
Casey	Jones	Schumer
Cassidy	Kaine	Scott
Collins	Kennedy	Shaheen
Coons	King	Smith
Crapo	Klobuchar	Stabenow
Cruz	Lankford	Tester
Daines	Leahy	Udall
Durbin	Lee	Van Hollen
Enzi	Markey	Warner
Ernst	McCaskill	Warren
Feinstein	Menendez	Whitehouse
Fischer	Merkley	Wyden
Flake	Moran	

NOT VOTING—2

Duckworth	McCain

The motion was rejected.

The PRESIDING OFFICER. The Senator from Connecticut.

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

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

HEALTHCARE

Mr. MURPHY. Mr. President, we have begun the period of time in the year when insurance companies start to declare what their intention is with regard to rate increases, and the news is not good for American healthcare consumers.

I am going to be joined on the floor today by a few of my colleagues to talk

about what the impact of these radical increases in premiums is going to be for our constituents. The news is not good, but, frankly, it is no surprise because for a year and a half now, the Trump administration has been waging a very deliberate assault on the American healthcare system, trying to sabotage it as retribution for the country not agreeing to overturn the Affordable Care Act, which now enjoys widespread popularity across the country. This deliberate campaign of sabotage—beginning the first day Trump got into office with an Executive order, leading up to these last 2 weeks in which the Trump Justice Department is trying to rule that protecting people with preexisting conditions is unconstitutional—has had an impact. It has had an impact.

I want to quickly run through what we have seen thus far with respect to premium increases all across this country as a result of the Trump administration's and Republicans' campaign of sabotage.

First is in Maryland. The highest increase we saw in Maryland—these were announced about a month ago—was one plan announcing a 91-percent increase—in 1 year, one time, a 91-percent increase. It is almost a doubling of premiums for a PPO plan in Maryland that was primarily being used by people with preexisting conditions, people who were sick.

The reason this plan is going up by 91 percent is because, as the Trump administration and this Congress take steps to move healthy people off of insurance plans to either no insurance at all or to junk plans, only sick people or people with preexisting conditions are left on plans like the CareFirst PPO plan. A 91-percent increase. Who in Maryland with any kind of middle-class income can afford a 91-percent increase?

Virginia is not much better. In Virginia, at about the same time, one plan asked for a 64-percent increase. Again, I don't know many families who are making $30,000 a year who can afford a 1-year, 64-percent increase in premiums.

Remember, overall, medical inflation in this country—meaning on a percentage basis, the amount of increase in medical costs from year to year—is about 6 percent. So if you were just passing along the costs to your consumers, the rate should be somewhere in the neighborhood of 5, 6, or 7 percent. Instead, in Virginia, it is 64 percent.

Senator MERKLEY is going to talk about Oregon, but premiums in Oregon are going up by double digits—14 percent.

Washington State is looking at a premium increase of 30 percent. The Kaiser plan in Washington is asking for a 30-percent increase. The statewide average is right around 20 percent. Kaiser, in Washington, says: ''The rate changes shown are primarily driven by the claims experience of the single risk pool, medical inflation, and projected changes in the risk profile of the membership due to the elimination of the individual mandate.'' That is the change that Republicans made to the Affordable Care Act.

You are actually in decent shape in Maine, so I will give you the good news too. In Maine, you are only seeing a 10-percent increase in premiums—just slightly above the rate of medical inflation.

In one of the more popular States in the country, New York, the news is catastrophic—a 39-percent increase in premiums in the largest health insurance plan in New York. Fidelis, which is on the State healthcare insurance exchange, is asking for a 39-percent increase.

Let me read to you what the New York Department of Financial Services said about this requested 39-percent increase:

> With respect to the individual market, the single biggest justification offered by insurers for the requested increases is the Trump Administration's repeal of the individual mandate penalty. The individual mandate, a key component of the Affordable Care Act, helped mitigate against dramatic price increases by ensuring healthier insurance pools. Insurers have attributed approximately half of their requested rate increases to the risks they see resulting from its repeal.

It is not as if the Republicans in this body didn't know what was going to happen. The CBO said that rates will go up by at least 10 percent in the first year if you repeal that part of the Affordable Care Act and 13 million people will lose insurance. That is what happens when rates go up by 40 percent. Some people just cannot afford to pay it. So whether the number is 39 or 91 or 64, these rate increases that are happening because of this campaign of sabotage by the Trump administration are simply unaffordable.

Before I turn this over to Senator MERKLEY, let me quickly run through what I am talking about.

In January 2017, President Trump signs an Executive order telling all his agencies to dismantle the ACA, despite the fact that Congress didn't repeal the Affordable Care Act and never would appeal the Affordable Care Act.

In April of 2017, he cuts open enrollment in half for the Affordable Care Act just to try to make sure that fewer people can sign up for health insurance.

In May, Republicans start voting to try to take insurance away from 23 million people. Actually, one of the proposals would have taken insurance away from 30 million people. In December of 2017, they finally settle on legislation that takes insurance away from 13 million people and drives costs up by at least 10 percent.

In February of this year, the Trump administration starts to allow insurance companies to expand the use of junk plans. These are plans that cover very little. They might not cover prescription drugs or mental health or addiction care, but they are cheaper, so healthy people tend to move to these plans, leaving the sick people on the plans that are now going up by 39 percent.

The final cherry on top is that right now as we speak, the administration is making an argument before the Supreme Court that the remaining scraps of the Affordable Care Act that the Republicans left are unconstitutional.

The protection for people with preexisting conditions, which Trump promised over and over and over again to keep—Lesley Stahl pinned him down in a ''60 Minutes'' interview and asked: You are going to keep protection for people with preexisting conditions, right? You are going to keep the part of the Affordable Care Act that is wildly popular, aren't you?

He said: Yes, I am going to keep that part.

In fact, he has now instructed his Department of Justice to break precedent and argue the unconstitutionality of a statute of the United States, that statute being the portion of the Affordable Care Act that protects people with preexisting conditions.

Believe me, insurance companies are paying attention to this unending withering assault on the Affordable Care Act and the American healthcare system. That is why we are seeing these big premium increases.

We want to make sure that our colleagues understand what is happening here and that the American public understands what is happening here. These increases in healthcare costs are unprecedented, but they are not surprising, given what this administration and what this Congress have been doing.

With that, I yield the floor, seeing that Senator MERKLEY is ready to speak.

Mr. MERKLEY. Mr. President, I thank my colleague for letting us come down to talk about the trumped-up healthcare prices in America. It is trumped up because the prices are going up specifically because of the policies of President Trump and his team. The sabotage is at full speed.

Long before the sabotage occurred, in 2017, here on the floor of the Senate, we had five different versions of trying to wipe out healthcare for American citizens. They varied in range from wiping out healthcare for 22 million Americans to wiping out healthcare for 30 million Americans.

How is it that in a ''we the people'' republic, people can come down here and vote to wipe out healthcare for millions of people across this country? Quite simply, we have a team in power that believes in government by and for the powerful and the rich. They have healthcare, so they don't care about the rest of us, but we should be here fighting for the ordinary citizen in America. What is more important to peace of mind than the knowledge that if your loved one gets sick or injured, they will get the healthcare they need and you will not go bankrupt in the

process? That is why this is so important to Americans.

Just by a little bit, just by a thin, one-vote margin, we defeated those efforts to destroy healthcare last year, in 2017. We thought, thank goodness the people have triumphed for once in this Chamber. But no sooner than that occurred, then we had a tax bill—a tax bill that itself was written by and for the wealthy and well connected rather than the people. It borrows $1.5 trillion and gives most of it to the wealthiest of Americans.

Embedded in that terrible assault on the finances of America, that terrible failure to address the fundamentals of things that enable families to thrive—healthcare, education, living-wage jobs, and good housing—embedded in that was pulling the plug on the insurance pools. What does that mean? It means that the healthiest can jump out of the pool, and when they do that, they leave sicker people, and the price goes up. The price goes up, so more of the healthy people jump out of the pool, and the price goes up. This is known as the insurance death spiral. For ordinary citizens, it is known as double-digit increases in the cost of your healthcare policies brought by these Republicans and Donald Trump with this deliberate effort of sabotage.

The sabotage didn't end with pulling the plug on the insurance pools, no. Then we had the effort to undermine the marketplace, where people can compare policies and get policies that abide by the healthcare bill of rights, the Patients' Bill of Rights, things like, yes, you can buy a policy at the same price as everyone else even if you have preexisting conditions—that healthcare bill of rights. It is the healthcare bill of rights that allows testing and screening because an ounce of prevention is worth a pound of cure.

What is Team Trump doing? Well, they cut the enrollment period in half. They cut funding for outreach by up to 92 percent. They slashed the budget for advertising—so people wouldn't know that there was an open period and would miss the opportunity to get a healthcare plan—by 90 percent, 9 out of 10 dollars. They put up anti-marketplace propaganda. They periodically proceeded to shut down the website so people would get frustrated while trying to sign up for insurance. That is a real winner—make it hard for people to sign up for healthcare. Just how bad does it have to get—this attack on ordinary Americans by this administration, making it difficult, sometimes impossible, for people to sign up for hours at a time, right in the middle of an open enrollment period. They are wiping out the cost-sharing subsidies, so healthcare will be more expensive for people who have the least means.

Then we have even more. We have the junk policies—these junk insurance policies that make you feel good, they are very cheap, you can buy them, and they are good for filling your filing cabinet, but when it comes to actually getting healthcare when you are sick or injured, they don't pay for anything. That is a junk policy. It is really a predatory policy to try to say to people: Here, buy this, and you have insurance—but you don't really, not when you need it. That really is another assault on an ordinary American about the peace of mind of having healthcare when you are injured or when you are sick.

So there we are. We thought this assault had gone as far as it could possibly go.

Someday the people in this country will rise up in an election and proceed to say: We really do believe in that vision of our Constitution, that ''we the people'' vision of our Constitution of the United States of America; we believe in that vision, and we want an elected body that believes in that vision.

But a new assault came just days ago in which the President—who promised to make sure that every healthcare policy was cheaper than it was before, and that turned out to be a lie; the one who said that every person will be covered, and that turned out to be a lie; the one who said that whatever happens, I will absolutely make sure we continue to protect Americans who have preexisting conditions, and they will get the same or better treatment than they have now—issues an order that says: We are not going to defend the requirement that people with preexisting conditions can get healthcare at the same price as everyone else. What is this called? This is called a sellout. This is called a deception. This is called a whopper. This is called an assault on ordinary Americans when it comes to healthcare.

This is why insurance rates are going up all over the country. We are seeing double-digit increases in every State, even my State, which tried to protect ordinary people by wiping out and barring those junk plans but was assaulted by the rest of the sabotage. This isn't limited just to Connecticut and my State of Oregon; it is State after State after State, including the State of Virginia.

Before my colleague from Virginia speaks, I yield to my colleague from Oregon, the senior Senator from Oregon, who knows this issue so well and who has been in this Chamber fighting for peace of mind in healthcare for year after year after year. This is why we must come together as a nation and repair our healthcare system to have a simple, seamless healthcare system that does right.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I don't want to make this a cake-tossing contest, but I also want it understood that my colleague from Oregon has done an invaluable service to the country by showing the importance of what is happening at the border, where there is an effort in effect to traumatize children and separate kids from their parents. I look forward to working with my colleague when we do some work on it in Oregon. I certainly don't want to hold up my friend from Virginia, and I appreciate Senator MURPHY.

Before I came to the Congress, I was codirector of the Oregon Gray Panthers, a senior citizens group, for about 7 years. Back then, we were talking about ways in which to move forward on healthcare, to advance the rights of our people, to improve the quality of life in this country. There was often a bipartisan coalition to do that, to make those advancements.

In the last year, however, there has been an unprecedented effort to turn back the healthcare clock. We see it with the effort to sell junk insurance, which, in effect, involves the Trump Health and Human Services Department saying to States: Well, it is really pretty much OK to discriminate; just don't be too obvious about it. Then we saw the effort to strip away the Medicaid guarantee of nursing home coverage for older people.

Now, Senator MURPHY, Senator KAINE, and my colleagues are here on the floor to talk about the Trump administration's efforts to unravel the current law that bars insurance companies from beating the stuffing out of people with preexisting conditions. That is the way it used to be, folks. If you had a preexisting condition and you weren't healthy or wealthy—and that is what you face if you have a preexisting condition—you were really in bad shape. If you are healthy, you pay your bills—and you don't have bills. If you are wealthy, you pay the bills. But millions who have preexisting conditions would just get clobbered with premium hikes, so they couldn't get coverage at all.

Finally, we said in the Affordable Care Act: We are actually going to start moving the clock forward, and we are going to bar insurance companies from discriminating against those with preexisting conditions. This is particularly important for the 67 million women under 65, an enormous number of women in this country who have a preexisting condition, and they have, over the last few years, counted on the healthcare protections I just described in the Affordable Care Act as a healthcare safety net, as a backstop—protections that say they can't be charged more because they need maternity care and other essential services, protections that say they can't be denied coverage due to a preexisting condition, and that means everything from ovarian cancer to asthma. Every year, those who switch jobs or stop working, perhaps to take care of a loved one—and women often perform those roles—now have the assurance that they can have the mobility of being able to move up in the workforce if they live in Virginia or Connecticut or Oregon and they see the opportunity to get a better job. If they have a preexisting condition, without these protections, they are locked in. They are locked

into the workforce. What we are saying is that we want these protections to stay so that women and all Americans have the opportunity to secure advancements when they have the skills and talents to move on to another job.

These fundamental healthcare rights will disappear if the President and the Republican State attorneys general are able to unravel the law of the land.

This is really a head-scratcher, folks. It is one thing for an administration to say to Senator KAINE or to Senator MURPHY that they want to come to the Congress, they want to come to the appropriate committees—my colleagues serve on one of them, and I serve on the other—and say: We want to pass a law that changes preexisting condition policy. We wouldn't be for it, but at least that is a legitimate debate. They are not talking about doing that. They are not talking about coming to Congress.

Do you know why they are not coming to the Congress? Because they know their effort to unravel preexisting condition policy would not have a pulse up here. They wouldn't be able to get any traction for it. So what they are doing is going through the back door. They are trying to use a very complicated legal process—and it is going to be very hard to follow—about the Supreme Court and the purchase requirements and the tax and the like. But make no mistake about it, this is an effort to unravel the law of the land to deny protections to women—protections that ensure that if they have a preexisting condition, they don't have to go to bed at night in pure panic, worried that they could wake up in the morning and they could lose everything.

I will have plenty more to say about it. This is especially important because it escalates the Trump administration's campaign of healthcare discrimination against American women. This is really going to take a toll on 67 million women under 65—people who, as I have said, without this protection are going to go to bed at night, in my view, with an enormous fear and an enormous sense of uncertainty of what is ahead, where they could lose everything.

With that, I thank my colleagues for their courtesy and Senator MURPHY for bringing these efforts to the floor so frequently.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Mr. President, I would also like to rise to talk about this important issue of healthcare.

I have heard my colleagues, Senator MURPHY, Senator MERKLEY, and Senator WYDEN, and I know Senator MURRAY will speak in a minute. We are focusing on the great damage this administration is doing to the healthcare of Americans.

I thought maybe I could inject just a little bit of good news into this discussion. The good news I want to describe is positive advances that are still taking place because of the Affordable Care Act, despite the best efforts of the administration to kill the Affordable Care Act.

Because Senate colleagues joined together on the floor nearly a year ago to defeat efforts to repeal the Affordable Care Act, even as the sabotage has been going on, there has been an advance in my State that is very significant. Two weeks ago, my State legislature, after a 4-year debate, decided to become the 33rd State to accept Medicaid expansion.

Mr. President and my colleagues, if you want to know whether what you do in this Chamber matters, that vote in August of last year that preserved the Affordable Care Act enabled my State to embrace Medicaid expansion, and in one stroke of one vote, 400,000 Virginians have the ability now to have healthcare maybe for the first time in their lives. That is nearly 5 percent of our population.

These are working-age adults, most of them—many of them—working multiple jobs, but they have not been able to afford health insurance. But because this body saved the Affordable Care Act, we were able to, in the stroke of a vote, provide health insurance to 400,000 people—people who now know they can be taken care of if they get injured or if they are in an accident. Even if they are completely healthy, they have peace of mind and don't go to bed at night with the anxiety of what is going to happen to my family if I am in an accident or what will happen to my wife if she gets ill.

The Affordable Care Act is not just holding in the face of this sabotage effort by the Trump administration; it is actually still advancing in places like Virginia. A number of other States have referenda on the ballot to do exactly what Virginia just did. We do not need to stand still; we need to defeat sabotage, and then we need to move ahead.

My colleagues have stressed the various ways in which the Trump administration has tried to undermine the healthcare of Americans, and I don't need to go over them at length: limiting enrollment periods, limiting marketing, eliminating the individual mandate, and injecting uncertainty over the payment of cost-sharing. All of those things are leading insurance companies to increase rates. When they announced rate increases in my State recently, some insurance companies want to increase rates by as much as 64 percent.

The good news is—at least if there is any good news—they are not being shy about explaining the reason. They are telling us exactly the reason they are increasing the rates. They are increasing rates because of specific, identified policies of this administration to punish Americans and raise their health insurance costs. That is what the insurance companies are stating.

As Senator WYDEN mentioned, now Republicans are in court with the administration to try to defeat the protection the Affordable Care Act gave to people with preexisting conditions. These are not just a few people in my State or nationally; these are tens of millions of Americans, Virginians who have cancer, diabetes, or even lesser conditions that in the past—and potentially in a Trump administration future—could get kicked to the curb as a result.

I want to tell my colleagues one story about preexisting conditions because it is my family's story. Then I will conclude because I want my Senate colleague from Washington, who has been a leader on this effort, to offer her perspective.

When we think about preexisting conditions, there are all kinds of them, but some people don't know how broadly this definition has been used by insurance companies to basically deny anybody coverage if they can think of a single reason or a simple reason to do so.

I am not going to get into my own family's medical history, but I just want to tell you this. My wife and I have three children. There are five of us. I would submit that we have to be virtually the healthiest family in the United States because the only hospitalizations for the five of us in our lives, as a family of five, have been three childbirths, with my wife being in the hospital three times to deliver healthy children.

Right after the Affordable Care Act passed, when the ban on discriminating against someone with preexisting conditions was going into effect, for the first time, neither my wife nor I had a job with an employer that was offering a group plan so we needed to try to buy insurance on the individual market. My wife is a super diligent consumer and made numerous calls, and two insurance companies turned us down because of preexisting conditions. One was a preexisting condition of mine, though not serious enough ever to put me in a hospital, and one was because of a preexisting condition of one of my kids, also not sufficient to put that youngster in a hospital.

In both instances, the insurance company said: Well, we will write a policy for some of your family, but we will not write it for all of your family.

Safety tip: Do not tell my wife you will write an insurance policy but not for one of her three kids. That is not a good thing to do.

When my wife heard that, she said: I want to know whom I am speaking to because what you are suggesting to me is against the law.

No, it is not against the law. It is company policy. We can turn your child down, Ms. Holton. We can turn your child down.

No, you can't. Put a supervisor on the line.

The supervisor got on the line.

My wife said: This is now against the law. You cannot turn my child down because of a preexisting condition.

After some ''backing-and-forthing'' and the ruffling of pages, I guess, in an insert in the employee manual, the employee said: You are right. We can't turn you down. We apologize. That policy that we told you could be for four can now be for five.

If this can happened to a family like mine who had never even had a hospitalization for any illness or injury, other than delivering a child—this was happening over and over again—why would this administration want to return to those days? It is shocking and heartless, and we are going to do everything we can in the court and in Congress, as well as together in dialogue with the public, to make sure this important protection is not ripped out of the hands of American families.

Congress needs to act to stop the Trump administration sabotage, to preserve the Affordable Care Act. I hope we will take up the Murray-Alexander bill. It will stabilize the insurance market through provision of reinsurance, through guarantee of cost-sharing payments. There is no reason we can't take this up. Then we need to move ahead even further on proposals like the bill I have with Senator BENNET, the Medicare-X bill, to make sure every person in this country can buy a Medicare policy, a policy developed by Medicare on the individual insurance exchange, if they choose.

I am glad to be joined together with colleagues who are so passionate about protecting the healthcare of American families. Based on the results in Virginia, which avoided Medicare expansion for years only to finally wake up and realize we need to do it, I know we will prevail in this effort because it is what the American public wants us to do.

Mr. President, I would love to yield the floor to my colleague from Washington.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I wish to thank my colleague from Virginia for his personal, compelling reason why what the administration is doing is so wrong. That could happen to anyone, and does happen to everyone, and I so appreciate that.

I thank my colleague from Connecticut for bringing us together today to highlight this. There is so much going on in the country, and we don't want this to get lost because it will impact every single family.

We are here today to talk about President Trump's ongoing effort to sabotage healthcare for literally millions of families in our country. As we talked about last week, the Trump-Pence administration showed, once again, that there is no limit to how low and how baseless they will go to appeal to extreme Republican donors and their special interests.

President Trump's Department of Justice announced it will ignore years of precedent and abandon its duty to defend our laws in court. It will abandon our laws that prevent insurers from denying people with preexisting conditions coverage or charging people more because of their gender or raising premiums without limit for seniors.

This decision also makes it clear President Trump is ignoring the lessons he should have learned last year. Around this time last year, Republicans were trying to jam through the President's partisan healthcare bill, filled with proposals that would have scrapped those patient protections, spiked premiums and healthcare costs, imposed an age tax on our seniors, gutted Medicaid, and thrown our entire healthcare system into chaos.

The TrumpCare bill ultimately failed as people across the country stood up, spoke out loudly, and made it very clear they didn't support President Trump's sabotage agenda. President Trump didn't listen. Instead, he has continued to undermine healthcare for our families at every available opportunity, and Republicans have been lockstep with them the entire way; like when President Trump expanded loopholes to allow junk insurance plans that don't include important consumer protections; like when congressional Republicans jammed through a partisan tax bill to undermine our healthcare laws; like when President Trump announced radical new restrictions on Federal family planning funding based on ideology that would result in less access to healthcare for millions of women across the Nation and a gag rule that will interfere with providers' ability to talk about the full range of reproductive health service with their patients. Those steps were all designed to make it harder for women and families to get the care they need.

Last week, President Trump's administration took yet another step to undermine the healthcare system. In a nearly unprecedented move, the Trump administration announced it would no longer defend the Affordable Care Act in court. The Trump administration announced it would abandon the parts of the law that prevent healthcare discrimination against women, against seniors, and against those with preexisting conditions. That decision goes against years of legal precedent. It goes against, for sure, the wishes of families across the country who want their government to care about patients, not partisan politics. It even goes against the promises of many Republicans who claimed they were going to fight for those important patient protections.

Republicans may not be listening, but I have to tell you, families across the country have been speaking up loud and clear. They want us to fight for them and for their healthcare policies that can help them get the care they need. While President Trump and Attorney General Sessions have never fought for patients—as their latest decision makes abundantly clear—Democrats have never stopped fighting for them, and we are not going to stop now.

We remain dedicated to working toward commonsense solutions that help bring our healthcare costs down and begin to fix some of this damage that has been done by President Trump. We actually had a bipartisan deal that would have accomplished that goal, but, unfortunately, Republican leaders made very clear from the start they are not interested in lowering premiums, they are not interested in stabilizing our marketplace, and they are not interested in fixing this problem. Instead, they are interested in helping special interests, they are interested in donors, and they are interested in catering to the extreme right.

Despite their move to throw a wrench in our important bipartisan work, I want you to know Democrats are at the table, and we will be here all of August ready to work to fix this for families in Washington State and across the country. I hope, going forward, cooler heads will prevail and Republicans will return to the table and join us on finding solutions to lower patients' costs and strengthen healthcare in our country rather than continuing to help President Trump sabotage it. That is what the people in my State want. I know that is what families across the country want.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I have always said our Nation's current healthcare system is in need of repair. That is why we keep coming back to try to fix it and make it better. Every West Virginian deserves access to quality, affordable healthcare, and I am very concerned our country is at risk of moving backward instead of forward.

When people ask why I voted against repealing the healthcare law, I always say it is because we need to make sure those with preexisting conditions don't go bankrupt paying for basic healthcare. Most people today, if they don't have insurance, and especially those who have had preexisting insurance, are one healthcare crisis away from bankruptcy. What is happening today is an unfortunate political move. The only reason this lawsuit is moving forward is because my friends on the other side have failed more than 50 times trying to repeal it. On top of that, the tax cut bill that just went through had this in it, repealing basically the mandate on healthcare, which throws it into turmoil and is why we are in a lawsuit right now.

Right now, 20 State attorneys general, including the attorney general of West Virginia, are suing to allow insurance companies to once again deny coverage to West Virginians with preexisting conditions. Every single time they voted for repeal, this is exactly what they were trying to achieve.

What makes this worse is we have a bipartisan compromise, led by Senator ALEXANDER and Senator MURRAY, with 12 Republicans and 12 Democrats. This bill includes important steps that will

help reduce healthcare costs for West Virginia families, and this agreement shows what is possible when we put people before politics. What we did is, after the last repeal on the floor failed, we got together and put a fix in. We have a reinsurance program. We have a way to maintain and try to educate people on how they would use their healthcare, their newfound wealth in healthcare, in a more effective and efficient way.

This is what we should be doing, but, no, there is a political promise to repeal so we keep fighting every angle there is that is being thrown at us. Now there is this last one going through the court system—and having also the judicial system being involved to stop this horrible scourge on the people of my State and all across the country.

Let me tell you how many West Virginians are impacted. In a State with a little over 1,800,000, this one move right here affects 800,000 West Virginians. We are talking with people who have all types of things that could exist. They could have a child with a heart defect, asthma, you name it. They are going to be able to say: I am sorry, preexisting. We are not going to insure you or the cost will be so high you can't afford it.

We are impacting too many West Virginians. On Monday, I asked them to share their stories with me and my office—people, real people with whom you can put a face, a name, a story, and also have some empathy for. I am going to read a few letters, if I may. I have one from Kim Kramer from Parkersburg. She said:

Dear Senator MANCHIN,

Again, I find myself writing to plea for a sane policy related to healthcare for my family, my friends, my community, my country and myself. When healthcare policy is centered around quick profits at the cost of the long term health of citizens, a medical tsunami is sure to follow.

I live with my adult son who was born with Down Syndrome. He is 33 and I am 60. He is healthy for now but does have a couple of pre-existing conditions and risk factors which could very possibly need attention as he grows older. The mere thought that I would have to pay out of pocket for his healthcare due to policy changes in the years to come is mind boggling. Perhaps today his care is not directly on the table, but it has been this past year and will most likely be again.

I am at pre-retirement age. I work full time and am in good health. But I take medication to maintain a healthy blood pressure. That is already a pre-existing condition. Medicare is still down the road for me. As a nurse, I know the importance of screening for certain conditions.

But removing coverage of pre-existing conditions puts me in a very real catch 22 situation.

If I go for recommended health screenings and a condition is found, I would be covered by my current insurance. If my employment situation should change, as is possible for any of us, then I would have a pre-existing condition that would either not be covered or would make my premium so high that I would have to wonder if I will be able to provide for other basic needs like appropriate housing.

Many in my family, my circle of friends, my community and state would be in this terrible predicament.

Any diagnosis would be a barrier to treatment in essence. No insurance company apparently wants to cover sick people! Makes me wonder why we would call it insurance at all!

Perhaps in Washington, too many of you have lost touch with the very real stress and anxiety that is created when healthcare accessibility is unobtainable.

Do any of you understand what is it is like to live wondering when the medical tsunami will come? Because not having healthcare coverage is like that. You hope that the wave won't strike but it's just beyond the horizon and you have no idea if or when it is coming, or how to survive it.

The current mandate for coverage of preexisting conditions assures better health and prevention treatments; better outcomes and decreased expenses. It gives us all some peace of mind if we become ill and allows us to focus on getting healthy.

Please care about our people.

Please keep mandated coverage of pre-existing conditions.

Thank you.

I have Katelyn from Elkview.

Dear Senator MANCHIN,

I am a 22 year old West Virginian who grew up in northern Kanawha County near Clendenin. I was diagnosed with anorexia when I was 13, and have struggled with it for years. I am thankful that the ACA created provisions that will allow me to remain on my parents' health insurance until I am 26, but worry that my pre-existing condition could prevent me from getting insured in the future.

Losing health insurance would mean me losing access to my mental health medication as well as making it really difficult to access further treatment should I have a relapse.

I also worry about how lack of coverage for my preexisting condition could prevent me from affording care in the future. I hope to devote my life to public service, which is very fulfilling but does not pay well enough for me to afford to pay high medical bills. This is something that particularly worries me as I get older and am thinking about whether I will be able to afford to start a family.

I hope that you will continue to defend the Affordable Care Act, particularly its provisions that protect people with preexisting conditions and women's health generally.

Larry from Lewisburg writes:

Shortly after being diagnosed with cancer in my mid-forties, the health insurance company I paid for coverage went bankrupt. Faced with a preexisting condition, I was uninsured until I began receiving Medicare, about 20 years later, even though I had been therapeutically treated and had no symptoms or return of tumors for most of that time.

An adult stepdaughter has MS, epilepsy, and multiple other health challenges. She works full time, and the end of preexisting condition insurance protection would be life-threatening.

My final letter is from Marie-Claire from Bruceton Mills, who writes:

Dear Senator MANCHIN, my daughter was diagnosed with lupus shortly after ObamaCare became reality. I was able to secure affordable health insurance for her from that day forward [because of the Affordable Care Act].

Lupus is an autoimmune disease that can—and eventually will—affect any part of the body at any time.

An insurance company faced with underwriting my daughter simply will not insure her—ever—unless mandated by our government to cover preexisting conditions. Simple as that.

She has had multiple late night trips to the emergency room that would have bankrupted her had she not been covered.

Please do not forget her when you tell stories on the Senate floor.

This is not about Democrats or Republicans; this is about all of us. We all face this in our States, that of moving down this pathway because of not enforcing this part of the Affordable Care Act, when we have a fix—truly, a Democratic-Republican fix, bipartisan—led by LAMAR ALEXANDER, our Senator from Tennessee, and PATTY MURRAY, our Senator from the State of Washington.

This is a shame. This is a tough place, especially when you have solutions to fix the problems that challenge all of us. That is all we are asking for. Please be considerate of these people. Please do not throw caution to the wind or throw the baby out with the bath water and 800,000 West Virginians who would lose their insurance.

I thank the Presiding Officer.

I yield the floor.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I rise to address the national defense authorization bill that is under consideration and that we will probably be wrapping up this week.

First, I will address an amendment that Senator CORKER and I have filed. It is an amendment that is related to the topic at hand, which is our security, because it is an amendment that would restore to Congress the authority to have the final word on the deployment of tariffs—taxes on American consumers—when purchasing goods that originate overseas, tariffs that are implemented, imposed, with the justification that our national security depends upon it. These are often referred to as the ''section 232 tariffs'' because of the section of trade law that authorizes these tariffs.

The short version is that I think we ought to be having a debate and a vote on whether this responsibility that the Constitution clearly gives to Congress should be restored to Congress. It is my view that it should be. Senator CORKER and I have sought a vote on this. At this point, it appears that despite bipartisan support for this amendment, we may not be able to have a vote, but I think we should. I also think we should seriously consider continuing debate on the national defense authorization bill until such time as we are able to address this important amendment.

AMENDMENT NO. 2700

The other amendment I will discuss is an amendment I have offered which will get a vote. It will get a vote tomorrow, and I urge my colleagues to support this. Let me start by reminding my colleagues of something that I

hope we all learned a long time ago, and that is the very first provision of the U.S. Constitution after the preamble, the very first operative portion of our Constitution.

Article I, section 1 states: ''All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.'' I can't think of a more clear, succinct, straightforward, and unambiguous way to make the point that writing laws is in Congress's domain, is Congress's responsibility.

In the course of writing laws, sometimes we delegate some of that authority. Sometimes we delegate it to our staff members. We ask them to do the drafting. We are still responsible because we are Members of Congress. Sometimes we delegate it to the executive branch, and we call that rulemaking. We authorize the relevant agencies or Cabinets to develop the rules that will implement the legislation, but I would argue strenuously that that is still part of the legislative function. As such, it is a delegation, but it should not be an abdication of our responsibility. Congress should accept the responsibility for this rulemaking, and we should be accountable for it because that is part of our job.

That brings me to the Defense authorization bill, specifically to title XVII. There is a section called the Foreign Investment Risk Review Modernization Act. This is a dramatic expansion of the authority given to CFIUS under existing law. CFIUS is an acronym that stands for the Committee on Foreign Investment in the United States. There is this big expansion of authority that CFIUS gets. Part of the way in which this underlying bill, the National Defense Authorization Act, expands CFIUS's authority is by the huge delegation of legislative authority it grants the administration. It grants the administration enormous discretion to develop the rules by which this expansion of power will be implemented.

Let me explain briefly what CFIUS is all about. CFIUS—this Committee on Foreign Investment in the United States—is charged under existing law with reviewing foreign investments in America, foreign-based companies that choose to or wish to invest in an American company. If there is a national security concern involving the investment, if there is a risk that is identified, then CFIUS—this committee—is charged with recommending that the President block the transaction if it is considered to be a threat to our security.

Under existing law, the President has the authority, in fact, to block such a transaction. For instance, if a Russian company were attempting to purchase Lockheed Martin, which is a big defense contractor and a big supplier of very important, sensitive, and advanced military equipment to our armed services, our Armed Forces, in such a case, CFIUS would take, I think, a pretty quick review of that and recommend a no. The President would almost certainly block such a transaction.

We understand there is a sensible need for this committee to exist and to do its work. So let's get back to the underlying legislation before us.

Under existing law, under current law, the range of transactions that CFIUS can review for this purpose of determining whether it is a threat to our national security is pretty narrow. It is fairly narrow. I think there are legitimate concerns that it is too narrow, especially considering aggressive and even hostile acts that are taken under the auspices of the Chinese Government to acquire sensitive American technology. As I say, there is this delegation of authority to broaden that.

I would argue that this rulemaking—the decisions that CFIUS will make as it implements and develops these rules that we are going to empower it to develop—is really going to decide which kinds of transactions will be permitted to go forward and which ones will not. The rulemaking—not so much the legislation itself but the subsequent rulemaking—is going to really set the scope of CFIUS's review and its process.

There are many rulemakings required of the CFIUS committee through this legislation. Here are a couple of examples.

A passive investment by a foreign-based entity—a passive investment in a U.S. company—is meant to be excluded from a CFIUS review. That would be allowed. That would not be subject to a review. Yet, guess what, CFIUS gets to define what constitutes a passive investment. That is a pretty big power.

A second example is that of critical infrastructure and technology companies. Those are the companies that we are concerned about, right? Critical infrastructure and technology companies are the ones that have sensitive technology that we might not want to have fall into hostile hands. That is the category in which there is an automatic trigger for a CFIUS review.

Guess what. CFIUS is going to write the rules to decide what constitutes a critical infrastructure and technology company. I don't know what it is going to conclude. I am pretty sure that if you are the manufacturer of a chip that goes into a very cutting-edge military application—that almost certainly would be a technology company we would want on the list. Yet it says critical infrastructure. What about a power company that produces electricity that feeds into our grid? What about a company that provides a municipal water supply? What about a supplier to one of those companies or a consultant to one of those companies? I think you could ask a lot of interesting questions about what kinds of companies ought to qualify, and we have delegated that. That will be decided by someone else. That will be in the rulemaking process.

Then there is the case of who must submit a form to CFIUS for a transaction, who must go under CFIUS review, and there is some criteria in the legislation.

The final catchall is that CFIUS will have the authority, as it sees fit, to require these reviews for other transactions. What could be more broad and sweeping than that? Basically, CFIUS can itself decide to write the rules in such a way that it will have the power to review any transaction it wants.

This is really remarkable in terms of how much power is being delegated to the executive branch to write these rules.

The rules could be written in a way that they are written too broadly, and if they are too broad, it could have a chilling effect on foreign direct investment in the United States. It is a huge source of jobs and economic growth when foreigners bring their capital to the United States and invest it here because America is one of the most attractive places in the world to invest.

On the other hand, if they write these rules too narrowly, it could be that CFIUS will not have sufficient authority, and transactions that we ought to be blocking will not get blocked because the rules will have been written too narrowly.

There is no Member of the Senate who can know in advance whether the rulemaking is going to strike the right balance. That is what we need here. That is what we want. What we want is the right balance so that we are stopping the transactions from bad actors but permitting the transactions from harmless sources that will help our economy.

Since we can't know in advance whether this rulemaking will be done in the appropriate fashion, why wouldn't we insist on the responsibility of overseeing this and, in fact, on having the final say to make sure that this is done properly, that the right balance is struck? In fact, isn't that our responsibility under the constitutional authority and responsibility given to us?

This is what my amendment is all about. My amendment would simply require Congress to approve the major rules—not every last rule but all of the important, major rules that CFIUS would develop—pursuant to this legislation that we are probably going to pass later this week. Congress would have to approve it before it could go into effect. It would be approved by a simple majority vote, and it would not be subject to a filibuster. There would be a strict time limit so that Congress would have to respond quickly when the rules are finished, and if Congress were to reject one of the rules, CFIUS could modify it so we could get to a conclusion.

My amendment does not give Congress the power to consider individual transactions—that shouldn't be in our domain—and it doesn't authorize Congress to review every rule, as I say, only the major rules, which is to say

those which would have a big impact on our economy.

So what are the practical consequences if my amendment were to be adopted? It would simply ensure that the administration would work with us as they were adopting the rules. Knowing that they needed to pass these rules in the House and the Senate, they would consult with us and say: Hey, this is what we are thinking in terms of how we define critical infrastructure and sensitive technology, and here is what we are thinking about what would constitute a path of investment. In all of the other cases in which they were making big decisions they would run them by us. We would have a dialogue, and we would get to a place where there was an agreement. That is what would happen, and, actually, that is exactly what should happen.

I have heard some concerns expressed about my amendment. Some have said: Well, wait a minute. If you get your amendment passed, Congress will never approve of these rules.

I couldn't disagree more. Congress is about to vote overwhelmingly. We voted in committee unanimously to grant CFIUS this broad new authority. The Members of this body overwhelmingly think that we should broaden the range of transactions subject to CFIUS review. Why wouldn't we support sensible rulemaking that would allow CFIUS to do what we have asked them to do? So I think it is extremely implausible that Congress wouldn't support this.

Others have suggested: Well, you don't really need this because you have the CRA, or the Congressional Review Act, as a mechanism that allows you to repeal a rule if Congress doesn't like it.

The CRA wouldn't work in this case at all because the CRA requires the President to sign a bill repealing a recently passed rule. What President is going to sign a bill repealing a rule or regulation that his administration just passed?

The CRA works when there is a change of administration. When the Trump administration came in, working together with Congress, the President and we repealed a number of regulations from the previous administration. But a President isn't going to sign a law repealing his own regulations.

So I want to appeal to my colleagues, maybe for different reasons, to support this legislation. For my Republican colleagues, 39 of us are cosponsors of the REINS Act. The REINS Act would require congressional review of every regulation throughout the entire government. Every time a major new rule is passed under the REINS Act, Congress would have to vote before it would go into effect.

If the REINS Act that 39 of my Republican Senate colleagues have cosponsored were the law, we wouldn't have this conversation because this legislation would come automatically under the REINS Act and automatically require that major rulemakings would come back for a vote. So I can't for the life of me understand why Republicans who support the REINS Act wouldn't support this, and I hope all of my Republican colleagues will.

I would appeal to my Democratic colleagues, as well, for the simple, fundamental reason that this is our responsibility. We should accept the responsibility that the Constitution assigns to us. That is No. 1, first and foremost. But, also, let's be honest. A big majority of our Democratic colleagues voted against confirming several of the members of CFIUS. A big majority of Democrats voted against confirming the Treasury Secretary, Mr. Mnuchin. They voted against confirming Attorney General Sessions. They voted against confirming Secretary of State Pompeo. Those three individuals are on CFIUS, and the Treasury Secretary is the chairman of it. So if my Democratic colleagues have such serious reservations about the work product that would come from these individuals that they voted against confirming them, one would think they would want the opportunity to have some say on their work product. That is what this is about. So I can't imagine that my Democratic colleagues would take the position that they must not have any say over the Trump administration's rulemaking. They have never suggested so much confidence in this administration that they would want to forego that opportunity. So I would hope that my Democratic colleagues could join me in this as well.

What this comes down to is that I think we should accept responsibility for the work we do and the work we delegate. Let's make sure that this really important and necessary expansion of CFIUS authority is done right. The way we do that is that we make sure that Congress has the final say over the rulemaking.

I urge my colleagues to support the amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mrs. FISCHER. Mr. President, as everyone in this Chamber knows, passing the Defense authorization bill is a tradition that has taken place without interruption for 56 years. That means that, regardless of political party or the disagreements we may have on other issues, we can agree on this: the importance of a strong national defense.

This year, we consider the National Defense Authorization Act against the backdrop of a changing world. America faces challenges from nations seeking to upend our rules-based international order. These nations aim to undermine the United States and her allies and disrupt the American-led system of international commerce and security that has been the foundation of global prosperity since the end of World War II.

America is at a crossroads, and as we look out at the forces that threaten our security, we need to be ready to defend our way of life. In Europe, a newly emboldened Russia under the control of Putin seeks every opportunity to exert its malign influence, undermine democracies, flaunt international law, and bully our NATO allies. In Asia, expansionist China is working to coerce its neighbors, invest millions in military modernization, construct illegal artificial islands, and challenge American leadership across the globe. In short, we have reentered an era of great power competition.

If we value our security and our prosperity, we must be prepared to support the men and women of our military so that they are able to win in this environment. Earlier this year, Secretary of Defense Jim Mattis presented Congress with a national defense strategy. This blueprint for the Nation's defense thoroughly emphasizes the fact that interstate competition is now the focus of our U.S. national security. The priorities laid out in the NDS provide a road map for confronting these challenges head-on. Now is the time to fund them.

That is why I am proud to stand before you in support of the fiscal year 2019 National Defense Authorization Act. With this legislation, we take important steps to ensure that our Nation's defense is ready to deter and defeat great-power adversaries. This year's NDAA provides $716 billion in fiscal year 2019 for the national defense—a direct investment in building an agile, capable force that is prepared to take on the threats of the 21st century.

This authorization closely aligns with the core tenets of the NDS. It provides keen investments in modernization priorities to help America defeat threats identified by Secretary Mattis and position our forces to be more lethal against our major foes. First and foremost, this legislation fully supports the sustainment and the modernization of our nuclear forces.

I serve as the chair of the Subcommittee on Strategic Forces, whose jurisdiction includes nuclear forces, missile defense, and the national security of our space programs. The subcommittee increased investments in each of these areas in order to speed the development of next-generation capabilities and to meet the unfunded priorities of the military service branches and of our warfighters.

Additionally, the bill before us today fully supports the administration's 2018 ''Nuclear Posture Review,'' which charts a responsible path forward to make sure that our nuclear forces continue to deter strategic attacks on our homeland and also to assure our allies. Across all spectrums, this legislation helps to support the needs of the warfighter and the goals of our national security.

At sea, the fiscal year 2019 NDAA includes over $23 billion for shipbuilding, to fully fund 10 new combat ships and accelerate funding for several future

ships so that we can continue to ensure free navigation across the world's oceans. On land, it authorizes more than $1.5 billion to procure 135 Abrams tanks and authorizes $190 million to prototype the next-generation combat vehicle, which is $70 million more than the administration's request, to ensure that we are prepared to fight and that we are prepared to fight and to win. In the air, it ensures that our forces are ready by authorizing nearly $400 million for the RC–135 family of intelligence, surveillance and reconnaissance platforms, which are proudly headquartered at the 55th Wing, at Offutt Air Force Base in Nebraska.

Though the threats of today are pressing, we must continue preparing to meet and defeat the adversaries of tomorrow. That is why this legislation makes significant investments in building the future force.

To keep our military a step ahead, this NDAA authorizes an increase of more than $600 million above the administration's request for science, technology, and testing programs, including $75 million for university research conducted at innovative locations like the University of Nebraska. All told, the fiscal year 2019 NDAA provides a wide spectrum of investments that will help our military to stay ahead and to ensure that we never have to face an adversary with equal capabilities.

Just as importantly, this bill demonstrates the belief of the Senate that the most important asset in our arsenal is not a weapons platform but the men and women who wear the uniform. With that in mind, the fiscal year 2019 NDAA provides a 2.6-percent pay raise for members of the Armed Forces, and it authorizes nearly $146 billion for military personnel, including costs of pay, allowances, bonuses, and benefits. We all know that meeting the challenges of tomorrow means having the best talent. It also means having a process in place to incentivize career progress and retain those uniformed servicemembers who excel in their fields.

That is why this legislation also makes important, much needed reforms that will modernize our personnel system. For decades, the personnel management system has remained stagnant. Now, with the reforms included in this bill, we have the opportunity to bring the system in line with the changing needs of the modern military. The fiscal year 2019 NDAA lays the ground work for new career flexibility and provides additional opportunities for the highest performers to advance, opening doors to allow the best and the brightest to take on tomorrow's leadership roles.

At the end of the day, we must be prepared to face an uncertain future. This bill is about ensuring America's security in a volatile world. As the national defense strategy made clear, our Nation is faced with ''a security environment more complex and volatile than any we have experienced in recent memory.''

I think all of us in this Chamber can agree that this environment requires us to stand united and to stand ready as a nation. For that reason, I am proud to say that this year's Defense authorization bill expands our capabilities across every domain to meet these threats. Ultimately, passing this legislation is about fulfilling the promise we made to our men and women in uniform to give them the best tools to wage the most effective fight and to ensure that America is never outmatched on the battlefield.

There may be much uncertainty in this world, but you can count on this: There is no more professional, dedicated, or lethal fighting force in the world than the U.S. military. Let's vote to keep it that way.

I thank the Presiding Officer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

TRIBUTE TO JOHN MCCAIN

Mr. FLAKE. Mr. President, as we consider this year's National Defense Authorization Act, I rise today to honor my esteemed colleague and friend Senator JOHN MCCAIN. As a member of the Armed Services Committee for the past 32 years and as chairman for the past 4, Senator MCCAIN has worked tirelessly to steer this essential legislation through the U.S. Senate.

Under Senator MCCAIN's leadership, the NDAA has authorized pay raises for troops, invested in modern equipment and advanced training, has helped to restore military readiness, and provided America's allies the support needed for security missions around the globe.

We all know Senator MCCAIN has been a fixture in the Senate during every NDAA debate. Wagging his finger and raising his voice, he mustered the rest of us to support and defend our troops. He made it a priority to reduce wasteful spending and crack down on waste, fraud, and abuse.

Year after year under Senator MCCAIN's leadership, the Senate Armed Services Committee has identified billions of dollars in unnecessary spending in the Department of Defense, and because of his efforts, we have reinvested savings in providing critical military capabilities for warfighters, meeting the unfunded priorities of our service chiefs and our combatant commanders, and supporting critical national security priorities.

The fact that Congress has approved the NDAA legislation every year that he has been involved in this process speaks to his ability to unite his colleagues around what matters most.

While Senator MCCAIN is missed here—his physical presence is missed—his influence and legacy will remain for years to come in this body and, certainly, with this important legislation.

NOMINATIONS OF SUSAN BRNOVICH AND DOMINIC LANZA

Mr. President, I would like to say a few words about a nominee who was reported to the floor last week, Susan Brnovich. Judge Brnovich has been nominated to be a district judge for the District of Arizona in Phoenix, a seat that badly needs to be filled.

Judge Brnovich is absolutely the right person to fill this seat. She has spent her entire legal career representing the people of Arizona and Maricopa County, and for that, I thank her.

Upon confirmation, Judge Brnovich will join the district court bench in Phoenix alongside another highly qualified Arizona nominee, Dominic Lanza, whom the Judiciary Committee reported to the floor in April.

Mr. Lanza will fill another seat on the Arizona district court that has remained vacant for far too long. He, too, is the right person for the job.

Just 2 weeks before the committee considered Mr. Lanza's nomination, he and his colleagues at the U.S. attorney's office coordinated with Federal and local law enforcement in Phoenix to raid the homes of backpage.com's owners. They seized the backpage.com website and indicted those responsible for trafficking young girls online through the company's website.

Thanks to Mr. Lanza's efforts, among others, backpage.com is no longer operational, which means the largest online human trafficking scheme in the country has been shut down.

Unfortunately, after being reported favorably to the floor 2 months ago, Mr. Lanza's nomination has stalled on the Senate floor. I see no reason that a man who helped shut down backpage should be languishing on the floor for what should be a unanimous vote.

I see no reason that my friend, Judge Brnovich, who has dedicated her career to representing her fellow Arizonans, should face the same fate. I urge my colleagues to promptly confirm these two eminently qualified individuals and allow them to take their seats on the Federal bench.

With that, 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.

(Disturbance in the Visitors' Galleries.)

The PRESIDING OFFICER. The Sergeant at Arms will restore order in the Gallery.

Mr. INHOFE. 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. INHOFE. Mr. President, it is my intent—and I will be doing it—but I want to give a chance for Senator PAUL to be on the floor when I do this.

As we have said over and over again, Senator REED and I have worked very closely in trying to get these amendments in place. I can remember in

years past, when there were people who objected to any amendments, we ended up without amendments, so we had to pass a bill that didn't have an open amendment process on the floor.

We wanted an open amendment process on the floor. I am talking about ''we'' being the Democrats, Republicans, and the leadership on both sides of the aisle. We have committed to that. We have tried to do that.

Unfortunately, under Senate rules, one Senator can stop and object to moving on an amendment. If that happens and continues, the same thing will happen. I can remember four times in the past when we ended up without any amendments at all because one person objected.

It is our intent to open it up so that people can offer their amendments, vote them down, vote them up—whatever we want to do.

Right now, we have several amendments, and I would like to make a motion to adopt them en bloc. These amendments are amendments that have been cleared on both sides. There are 10 of them. All 10 are germane amendments.

They are Ernst amendment No. 2289, Schatz No. 2441, Bennet No. 2617, Shaheen No. 2686, Heitkamp No. 2695, Lee No. 2723, Hatch No. 2755, Cruz No. 2598, and Tester No. 2818.

These 10 amendments are all germane. They cleared on both sides.

I ask unanimous consent that these amendments be called up en bloc.

The PRESIDING OFFICER. Is there objection?

The Senator from Kentucky.

Mr. PAUL. Reserving the right to object, the right to trial by jury is a most precious and ancient right. A few minutes ago on the Senate floor, 68 Senators voted to give a vote on the Senate floor on whether anyone captured and accused of a crime would get a trial by jury. It is in the Bill of Rights. Over two-thirds of the Senate voted for it—enough to pass a constitutional amendment. We voted for it, and one person is denying a vote on this.

The senior Senator from South Carolina does not believe the Bill of Rights applies to people accused of a crime. Think about that. This is not about me. This is about one Senator from South Carolina who so much objects to the Bill of Rights that he doesn't want it to apply to people accused of a crime.

So, yes, I do most strenuously object.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I do regret this.

Let me repeat what was just objected to. There are 10 amendments that are cleared on both sides. Democrats are all for them. Republicans are all for them. I suggest the junior Senator from Kentucky is for all these amendments too.

If we don't have these amendments, what amendments will we have? What good does it do to offer an objection to these amendments that are all germane just because he is upset with some senior Senator from another State?

I am thinking now: Where do we go from here? I am going to offer another bloc of votes as soon as we have some that are all germane and agreed to on both sides. When that happens, I am hoping there will not be an objection. I am hoping to break this logjam.

If not, then what is going to happen is that we are going to end up voting for this bill. We know it is going to pass. It has passed for 57 consecutive years. It is going to pass, but it will pass without the amendments of those individuals who have wanted an open amendment process, which I have wanted, which my Democratic colleague has wanted, and we have made that effort for a long period of time.

I am concerned. I think that it could end up that we will have—it is not as if we haven't had amendments. In our committee, we had some 300 amendments that we actually considered. We went through the amendment process. We have had a lot of input from other Members, but again, we are committed to an open amendment process. So far, it looks as if we are not going to get it.

I just ask that whatever is causing my good friend from Kentucky to object to these amendments will be satisfied by some change. If he wants a vote on his amendment, let him go and pursue it. I hate to hold this bill hostage.

I just got back from being with our troops all over the world. I was in CENTCOM, in EUCOM, in AFRICOM, talking to our troops who are over there. They know that their pay raise is in this bill. Their benefits are in there. This is one thing we need to do.

If there is one thing that needs to be done, it is this bill. I think maybe there is something wrong with a system that says: If I can't have my way to get a vote on my amendment, I am going to kill everybody else's amendments. That is what I am afraid may be happening now.

I am hoping my friend from Kentucky will reconsider and allow us to adopt amendments. It has nothing to do with an amendment the Senator from Kentucky has.

The PRESIDING OFFICER. Objection is heard.

The Senator from Arkansas.

Mr. COTTON. Mr. President, I ask unanimous consent to have a colloquy with the Senator from Maryland.

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

Mr. COTTON. The Senator and I have done a lot of work together on a an issue that is a genuine threat to our national security; that is, the threat of Chinese telecom companies stealing our technology, infiltrating our telecom networks, and hacking into the data not just of our government or our military but also private citizens.

Earlier this year, I asked the Directors of all four major intelligence agencies—the CIA, the NSA, the FBI, and the DIA—if they would use products made by Huawei or ZTE. None of them raised their hand. I said: Well, that may be unfair. You are the leader of an American intelligence agency. What about members of your family, your neighbors, your friends, church members? Not a single one of them recommended that they would use a Huawei or ZTE product.

I hope all of you up in the Galleries are not using a Huawei or ZTE product. If you are, you might want to go out and buy a different one, and that is because these companies are dangerous to our national security and to your privacy.

Huawei and ZTE are nothing more than extensions of the Chinese Communist Party. Huawei's CEO was an engineer for the People's Liberation Army. The company's livelihood consists largely of a steady stream of government contracts, and its greatest claim to fame is shamelessly stealing the secrets of American companies. That is why it is under investigation by the Department of Justice for that and for violating sanctions against Iran. ZTE is no better. They broke our laws by doing business with North Korea and Iran and then lied about it to U.S. investigators. That makes it a repeat offender.

That is why General Nakasone, the new Director of the NSA, committed at his confirmation hearing to educating all of our allies about the threat that companies like Huawei and ZTE pose to the civilized world.

Given this history, I suggest it would be reckless to let Huawei and ZTE infiltrate their products into our country's critical communications infrastructure. Whether it is routers, switches, or any other kind of equipment, allowing them to do so would give the Chinese Government a backdoor into our first responder networks, our electric grid, and a lot more than that. That is why the Federal Communications Commission proposed a rule to prohibit the use of the Universal Service Fund to buy equipment from these firms and why I and a number of other Members have urged the Department of Agriculture to do the same thing with our U.S. funds.

These companies have proven themselves to be untrustworthy, and at this point, I think the only fitting punishment would be to give them the death penalty; that is, to put them out of business in the United States. The only reason Huawei is the second largest smartphone maker in the world and ZTE the fourth is because we have let them run wild for too long. We have given them access to our markets even as they have broken our laws and abused the rights of our citizens. If we refuse to do business with them, things would change very quickly, believe me.

For these reasons, Senator VAN HOLLEN and I offered our amendment that was adopted earlier this week. It would prohibit all Federal agencies from buying any kind of equipment or services

from Huawei, ZTE, or any related companies. It would also prohibit any American company from receiving U.S. taxpayer dollars in the form of grants or loans should they use Huawei or ZTE products. Finally, our amendment would reinstate the original denial order for the purchase of American goods and services on ZTE to hold it accountable for breaking our laws.

I would say that I don't see this amendment as contradictory or harmful to the administration's strategy when it comes to China and North Korea. If anything, I think it is complementary. This administration, after all, originally imposed the death penalty in the form of a denial order against ZTE. After Xi Jinping pleaded for life without parole, so to speak, the administration agreed to a very tough series of actions.

This is the first real, concrete action the United States has taken against Huawei and ZTE, but I and the Senators in this Chamber believe the death penalty is the appropriate penalty. Just as our maximum pressure campaign brought North Korea to the table, strengthening our sanctions on ZTE will show China that we are finally serious about stopping its theft of our intellectual property and preventing it from infiltrating our communications network and from violating the privacy rights of our citizens.

If we weaken sanctions against ZTE, we will signal to China and to the rest of the world that they can act contrary to our sanctions with impunity. That is a message we cannot afford to send, and that is why I am pleased the Senate agreed to include our amendment in the National Defense Authorization Act.

I would like to conclude by turning to the Senator from Maryland, with whom I have worked in such a constructive fashion on this matter—not only on this legislation but also in the Senate Banking Committee—and ask him how he sees the threat posed by Huawei, ZTE, and companies like them.

Mr. VAN HOLLEN. Mr. President, I want to start by thanking my colleague, the Senator from Arkansas, for his longtime leadership on a range of important national security issues, including his attention and focus on the threat posed by Huawei and ZTE, which, as he explained, are two Chinese telecommunications companies that pose a risk not just to our security but also to the privacy of American citizens.

This is a threat that is here and now, and it is not one we have not been aware of for a long time. I think it is important to look back because this didn't sneak up on us overnight.

If you go back to the year 2012, the House Intelligence Committee sounded the alarm on Huawei and ZTE in a bipartisan report that stated that ''China has the means, opportunity, and motive to use telecommunications companies for malicious purposes'' and that ''based on available and classified and unclassified information, Huawei and ZTE cannot be trusted to be free of foreign state influence and thus pose a security threat to the United States and to our systems.''

That was a House Intelligence Committee report in the year 2012. Since then, the evidence has grown even stronger.

We know that the Government of China exercises significant control over its telecommunications firms and that ZTE and Huawei have close and very longstanding ties to the government. We also know that China is one of the world's most active perpetrators of economic espionage and cyber attacks in the United States.

In 2015, the FBI issued a report on Huawei making it clear that the Government of China relies on signals intelligence to spy on American citizens. American intelligence officials have long warned that Beijing could harness this technology to steal data, eavesdrop on conversations, or carry out cyber attacks.

We had testimony recently—in February—from the leaders of the top U.S. intelligence agencies. Senator COTTON referenced the testimony of the FBI Director and others, and I want to expand on the testimony of FBI Director Chris Wray, who said:

> We're deeply concerned about the risks of allowing any company or entity that is beholden to foreign governments that don't share our values to gain positions of power inside our telecommunications networks. That provides the capacity to exert pressure or control over our telecommunications infrastructure. It provides the capacity to maliciously modify or steal information. And it provides the capacity to conduct undetected espionage.

That is why part of this amendment contains the very important provision that the Senator from Arkansas mentioned that would prohibit U.S. taxpayer dollars from being spent to purchase any equipment from Huawei or ZTE. The Pentagon recently prohibited the sale of these devices on U.S. military bases. The FCC has also proposed steps to discourage American companies from using products from Huawei and ZTE. It stands to reason—and it is totally consistent with that sentiment—that we make it clear that U.S. Federal Government agencies should not be purchasing this equipment that threatens our national security.

One of those companies—ZTE in specific—not only represents the kind of threat that we have been discussing but also has been a repeated and flagrant violator of U.S. law. They were caught a number of years ago for cheating, and instead of coming clean, they tried to cover it up, cheated again, and they were caught again.

Here is what the Department of Commerce said in its report about ZTE just this past April. It said that they engaged in ''a multi-year conspiracy to violate the U.S. trade embargo against Iran to obtain contracts to supply, build, operate and maintain telecommunications networks inside Iran using U.S. original equipment'' and that ZTE was ''illegally shipping telecommunications equipment to North Korea in violation of the Export Administration Regulations.''

The Commerce Department went on to explain that ZTE—finally, after getting caught multiple times—''admitted to engaging in an elaborate scheme to hide the unlicensed transactions from the U.S. Government by deleting, destroying, removing, or sanitizing materials and information.''

In fact, it turns out that they were violating our sanctions regime against not only Iran and North Korea but also Sudan, Syria, and Cuba. In fact, they had elaborate flowcharts at ZTE showing exactly how they were going to do this. Then, when we confronted them and they said they were going to come clean, instead they rewarded their top executives with bonuses. That is why, when the Secretary of Commerce issued the sanctions and imposed the blocking order on the sale of U.S. telecommunications components to ZTE in April, he explained that the message ZTE sent from the top was essentially to evade and then lie about what they were doing with respect to U.S. sanctions.

Well, it is very important that we send a message, and we need to send a message consistent with what the Secretary of Commerce did last April. It is very important, as the Senator from Arkansas said, that we let countries know we mean what we say. They are a flagrant violator of those sanctions laws, and we can't let them off the hook with a slap on the wrist because if we do that, it will undermine our credibility with respect to our sanctions on North Korea, which are very important in focusing the attention of North Korea on the goal of denuclearizing the Korean Peninsula. It will send the wrong message to countries around the world that if we catch you and you cheat again and we catch you, you can just cut a deal that ends up being a slap on the wrist.

That is why I am very pleased to join with the Senator from Arkansas in offering this bipartisan amendment. In addition to the two of us, there are a number of other Senators—a bipartisan group—supporting this legislation. I am glad it has been incorporated in the legislation.

With that, I want to turn it back over to the Senator from Arkansas and ask him whether he has any further thoughts on this very important issue before us today.

Mr. COTTON. Mr. President, I thank the Senator from Maryland for his remarks and once again for working together in such a constructive fashion. As he said, we have had a number of Senators from both parties sponsoring our amendment. I think that reflects the concern that both Republicans and Democrats alike have about the threat that Chinese telecom companies like

Huawei and ZTE pose to our national security and to our citizens' privacy. Our amendment is an important first step to ensure that they are not doing business with the Federal Government or any firms that are relying on U.S. taxpayer dollars and also that ZTE in particular faces the stiffest penalties possible for its recidivist behavior in violating sanctions and lying to U.S. investigators.

We still have more to do, and I suspect we will be back together either in the Senate Banking Committee or on the Senate floor to try to protect our citizens' safety and their privacy from companies that are in essence arms of the Chinese Communist Party. We will be working together in the coming months, as this bill moves forward to be reconciled with the House of Representatives, to ensure that this very important language stays in the bill in its final version and then gets passed into the law.

Mr. VAN HOLLEN. Mr. President, if I may, I just want to emphasize that final point made by the Senator from Arkansas, which is that it is going to be very important that we keep this provision in the Defense authorization bill as it winds its way through the process. I am confident that there is a bipartisan commitment to doing exactly that because we cannot back away at this point. Backing away would send a very bad signal to ZTE and Huawei and other violators of our sanctions or any of our other adversaries who are considering violating U.S. law and U.S. sanctions.

Mr. COTTON. I couldn't agree more with that. In fact, the House version of the National Defense Authorization Act does include language that is similar, not identical, to our language. To my knowledge, it passed without any objection in the House from either Democrats or Republicans—again, just showing how widespread our concern in Congress is with Chinese telecom companies, like Huawei and ZTE.

So I am confident that working together with the Senator from Oklahoma, the Senator Rhode Island, and our House counterparts the final version of this bill, which we will vote on later in this year, will have very tough language that will move us in the right direction, protecting our citizens' safety and privacy.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LEE). 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.

Mr. PERDUE. Mr. President, I ask unanimous to call up amendment No. 2870 to amendment No. 2282.

The PRESIDING OFFICER. Is there objection?

The Senator from Maryland.

Mr. VAN HOLLEN. Mr. President, reserving the right to object, Senator COTTON from Arkansas and I were just on the floor these past 15 minutes explaining why this bipartisan provision is in the managers' amendment to the bill. It is because of the threats posed by Huawei and ZTE. With respect to ZTE specifically, it is because of its multiple flagrant violations of U.S. law. Removing that provision would send a very bad signal, not just to ZTE, not just to China but to anybody else around the world watching that they can violate U.S. sanctions law with impunity. We shouldn't be doing that.

I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Georgia.

Mr. PERDUE. Mr. President, I don't disagree that we need to send a strong message to people doing business with the United States. However, the Commerce Department has imposed a severe fine in the ZTE case—a $1.7 billion fine—in addition to penalties and compliance measures on ZTE, including the firing of its entire board and all senior executive leadership. That is not dissimilar to a commerce violation right here in the United States. If someone violates the rules and laws of our land, there are fines, penalties, and compliance measures that go along with that.

In regard to these harsh penalties, Secretary Ross has just said: ''the strictest and largest settlement fine that has ever been brought by the Commerce Department against a violator of export controls.''

The Commerce Department has leveled a harsh but justified penalty.

I agree that we need to send a strong message, and I think this does just that. However, the current NDAA managers' package would trample on the separation of powers and undercut the Trump administration's authority to impose these penalties. My amendment would prevent this year's NDAA from limiting the export control authority of the Secretary of Commerce.

I don't dispute the threat that ZTE products pose, but, remember, the majority of the chips used in ZTE products are made right here in the United States. Our government should not use products from ZTE, Huawei, or any other company with such close links to the Chinese Government.

The underlying NDAA still prohibits the entire government from purchasing ZTE products, but we should not tie the hands of the administration to enact penalties as it sees fit, particularly in these times of aggressive actions by foreign players.

Mr. President, I ask unanimous consent that it be in order to call up amendment No. 2870 to amendment No. 2282.

The PRESIDING OFFICER. Is the Senator restating his unanimous consent request?

Mr. PERDUE. Yes.

The PRESIDING OFFICER. Is there objection?

Mr. DONNELLY. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Indiana.

Mr. DONNELLY. We heard my colleague from Maryland and my colleague from Arkansas; therefore, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Indiana.

Mr. DONNELLY. Mr. President, I rise to discuss my efforts on the Senate Armed Services Committee, on behalf of the people of Indiana, to craft and advance a defense bill that supports Indiana's role in our Nation's defense and protect America's security interests and defense-related jobs.

Before I get to that, though, I want to take a moment to acknowledge the chairman of our committee, my friend Senator JOHN MCCAIN. He is an American hero. I hope as he watches the Senate do its bipartisan work on this year's NDAA, the John S. McCain National Defense Authorization Act, he knows that all of us here are thinking of him back in Arizona and wishing him the best in his battle. When we think about JOHN MCCAIN, we think about a fighter. We think about the epitome of a man who defends our freedom every single day. I am proud he is our chairman, and I am proud he is my friend.

Now I want to talk about provisions I secured in the national defense bill that we are considering, efforts I supported, and an amendment I filed.

I am proud of the many contributions Hoosiers make to the safety and security of our Nation—most especially those brave men and women who volunteer to put on the uniform in service to our country.

I am also proud of the thousands of working men and women who go to work in the dark every day to manufacture the highest quality products and equipment that support and protect our warfighters. From humvees and transmissions to satellites and aviation braking systems, Hoosiers know a key strength of our military is the technological and quality advantage that American manufacturing gives to our warfighters.

In fact, it is with those friends and neighbors in mind that I want to talk about the importance of ensuring that the equipment used by our Armed Forces and the jobs—the moms and dads who go to work every day to build that equipment—stay right here in America.

One of the provisions I pushed hard for and was included in the bill requires the examination of the F–35 supply chain in order to ensure that key manufacturing capabilities are not being sent abroad, jeopardizing the backbone of America's future Air Force.

Workers at the Honeywell facility in South Bend, IN, currently manufacture components for the braking mechanism for the F–35 airplane—one of the most

technologically advanced aircraft ever built. I am told that next month, the last raw forging shipment will come to the facility for Hoosier workers to manufacture these components. Honeywell is planning to send that manufacturing work for the F–35 overseas to a plant in Turkey.

While Turkey is a member of NATO, it is on a concerning path of crumbling democratic norms, and it is in the process of purchasing a missile defense system from Russia. That is not the kind of place where we should be manufacturing critical components for one of the most advanced warfighting machines in our arsenal, particularly when we have trained, experienced, talented, patriotic, devoted American workers in South Bend, IN, who want to continue doing this work protecting our men and women and keeping our Nation safe.

What is more, if the U.S.-Turkey relationship deteriorates further, I am concerned our country will not have access to a critical component of our most sensitive aircraft or missile or radar. We don't currently know what future threats to our supply chain will emerge. This Congress and the American people should know the answers to those questions. I believe my provision will help us get to the bottom of it and find those answers.

Another provision I authored that the Senate Armed Services Committee adopted as part of this bill would ensure that our Nation retains key national security capabilities within the Federal workforce.

I also fought to keep key sectors of our defense industrial base robust and secure from threats, such as tampering and counterfeit parts. That work happens at the Naval Support Activity Center in Crane, IN.

In addition, another measure I supported that is included in this bill ensures that companies that provide products crucial to our national defense are not purchased by a foreign adversary like China. When it comes to our national defense work, I believe it is critical that our policies encourage companies to invest in American workers and communities at home and penalize those that ship work to foreign countries. That is why I proposed an amendment that is simple and clear: Federal defense contracts, funded by American taxpayers, should go to companies that employ American workers.

My amendment, which is based on my End Outsourcing Act, would allow contracting officers to take into consideration a company's outsourcing practices when awarding Federal contracts. It is common sense. Our Federal tax dollars should go to companies that invest in and support American workers. When defense work is shipped from American companies to other countries, it can hurt our national defense, our workers, and our communities.

Finally, I want to highlight a provision that has been mentioned by my colleagues that I strongly supported in this bill that helps protect American telecommunications security, which is an important part of our national security.

Specifically, this bill includes a provision that prohibits the Department of Defense from procuring, obtaining, or renewing contracts that utilize equipment or services from China's Huawei Technologies or ZTE Corporation. Huawei is reportedly being investigated by the Department of Justice for potentially violating U.S. sanction laws as it relates to Iran. ZTE sold sensitive technologies to Iran and North Korea in violation of U.S. sanctions laws.

I am concerned about the administration's recently announced deal to roll back penalties against ZTE, and I think this measure in the Senate, in our national defense bill, would be an important step toward helping safeguard our telecommunications industry's security.

I am hopeful the Senate will soon pass the national defense bill. It is bipartisan. It is not Democratic, it is not Republican; it is American. It is an example of what we can accomplish together. I am proud it will help protect our national security and American jobs, and it also includes a number of provisions that are vital to Indiana.

I would like to close by again saying how honored we are that this is the JOHN MCCAIN Defense bill. What an extraordinary chairman he has been for us. We wish him well. We hope he is getting stronger every single day, and we look forward to seeing him in the Chamber soon.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

MORNING BUSINESS

Mr. TILLIS. Mr. President, I ask unanimous consent that the Senate be in 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.

CALLING FOR THE RELEASE OF PASTOR ANDREW BRUNSON

Mr. TILLIS. Mr. President, I am coming back to the floor, sadly, to make a speech that I promised to make every week that I am in the U.S. Senate as long as a pastor from North Carolina, who has been in mission in Turkey for almost 20 years—until his release from a Turkish prison.

Before I get started with that, I want to thank Senator DONNELLY for his comments because I think we share a common concern with respect to the Joint Strike Fighter Program. That is something I am going to suggest in my discussions.

I also thank, in advance, Senator SHAHEEN, who has worked with me, on a bipartisan basis, to highlight the concern we have for a man who has been in a Turkish prison for 614 days.

Pastor Brunson was arrested in October of 2016 for nothing more than being a missionary. I went to Turkey about 2 months ago and visited him in a Turkish prison, after almost 17 months of being in prison, without any charges. They brought charges against him that are some of the most bogus excuses for evidence you could possibly imagine. I am certain that if it were somebody with these charges in the United States in a jail system or prison system, they would be released the day the charges were filed.

This is Pastor Brunson. He is a little over 50 years old. Since he has been in prison, he has lost 50 pounds and has spent almost 17 months in a prison cell designed for 8 people that had 21 people in it, that entire time without a single formal charge levied against him.

Pastor Brunson is a Presbyterian minister from Western North Carolina, an area called Black Mountain. He was swept up in the arrest that occurred after the illegal coup attempt that I think was inappropriate and that I would probably oppose because I think there is a peaceful way to change regimes, but Pastor Brunson wasn't one of the people who caused the coup. If you went to that courtroom like I did and spent 12 hours in that room, you would have heard absurd charges from over a dozen secret witnesses, many of them in prison, talking about the food that somebody may have eaten, which is a preferred food of a terrorist organization, or the fact that a light was on in a small church in Izmir for hours, and certainly there had to be something bad going on.

That is the nature of these charges. I am not making it up. This man is doing everything he can to have the truth be heard, but I actually believe this is not about a judicial process. This is not about valid charges. This is about a political hostage.

I will tell you the day I absolutely confirmed that this pastor became a political hostage. It is the day President Erdogan had the audacity to make this statement. President Erdogan believes that there is someone in this country who was involved in the coup attempt. We have reached out to Turkey and said: If you can process a valid basis for extradition—we have an extradition treaty with Turkey—we would be happy to consider that, based on the merits of the case, and we still would be, but the President had the audacity to say: We can just short circuit all of those by you trading your pastor for our pastor. President Erdogan clearly demonstrated that he has the authority to release this illegally and improperly imprisoned American, who has been in prison for 614 days, but he chooses not to.

Now, on a bipartisan basis—I should tell my colleagues that one of the reasons I find this so insulting is because Turkey has been a NATO ally since 1952. We have to understand what being a NATO ally means. What it means is the greatest, the most powerful Nation

on Earth has committed to deploying men and women in American uniforms to Turkey to protect Turkey if they are attacked by an outside aggressor. We have a commitment to protect the Turkish people. We have a commitment to our men and women in harm's way to protect the Turkish people, but we have a Turkish President who is acting less like a NATO ally and more like an adversary.

By the way, this is not an argument with the Turkish people who are great people. I have been to Turkey several times—they are wonderful people—but this President is taking a position that has to have a consequence.

Again, we can go back and talk about what our obligations are under the treaty. First and foremost, it is to treat an ally that has that very heavy obligation to defend another Nation—to go to some other soil and defend that Nation—to treat them with respect, to treat their citizens with respect. If they are a criminal, present the evidence and prosecute them.

There are Americans in Turkish prisons. They have committed murders, robbery, and other crimes, and there was legitimate evidence put forth for me to be OK with that, but I am not at all OK with the way Pastor Brunson has been treated by the Turkish judiciary.

We tried everything we could for about 1½ years on a diplomatic basis and that has gone nowhere. After my last trip to Turkey, I decided we had to get Turkey's attention, and on a bipartisan basis, we started that by passing an amendment in the National Defense Authorization Act that will ask for the answers to very important questions. Some of those have to do with the illegal detainment of American persons in Turkey. The other one has to do with a very important—in fact, the most sophisticated tactical fighter that has ever flown through the air, the Joint Strike Fighter, or the F–35.

Turkey is a very important part of the supply chain to the Joint Strike Fighter and Turkey has requested Joint Strike Fighters to be put into their arsenal. On the surface, because they are a NATO ally, I don't object to it, but, today, I strongly object to it.

We passed language in the national defense authorization that we will be voting on fairly soon that will actually put Turkey on notice: Choose what you want to be. Do you want to be an ally that treats your other ally citizens with respect; do you want to be an ally that actually builds defense systems that come from allies, not from a would-be adversary like Russia; or do you want to actually go down the path and lose the support of the American people along the way?

I thank Chairman INHOFE for his support of the amendment. I want to thank the members of the Senate subcommittee—the Senate full Committee on Armed Services who voted for this amendment. I look forward to getting this passed into law when we finally confer with the House and sending a message to Turkey: We want to be your ally. We want to be there in your darkest hour to defend your security. Convince Members of the Senate that you want to be our ally, that you want to treat our citizens with respect, and that you will free Pastor Brunson.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I am pleased to join Senator TILLIS on the floor today as he discusses Turkey and Pastor Andrew Brunson. I applaud Senator TILLIS for his continued commitment in seeking justice for Pastor Brunson. Since March, Senator TILLIS, Senator LANKFORD, and I have joined together to keep pressure on Turkish President Erdogan.

We are not driven by diaspora politics, we have no hidden agendas, and we are not agents for Gulen or other actors like the Turkish papers have claimed—quite the contrary. As cochairs of the Senate NATO Observer Group, Senator TILLIS and I are ardent supporters of NATO. We value Turkey's importance as an ally. We want U.S.-Turkey relations to improve. Yet, supporting Turkey and the Turkish people should not mean appeasing the Turkish President.

It is clear that the less we push back as a nation against Turkish President Erdogan, the more emboldened he becomes.

Five years ago, if you had asked any diplomat or military official whether Turkey would stoop so low as to take innocent Americans hostage and leverage them for political gain, no one would have said that this was a possibility. Yet that is where we are today.

Turkey has not only joined the ranks of Iran, Syria, North Korea, and Venezuela as a hostage-taker, but it has shifted its orientation away from NATO and toward Russia for no other reason except for Erdogan's financial and electoral gain.

Even with the near-constant propaganda, however, there are things the Turkish Government can't hide: Turkey's rapidly falling currency, the faltering state of their judiciary, the inexplicable enrichment of President Erdogan, his family, and his inner circle. All these issues are well-known concerns. In fact, according to New World Wealth—the research outfit that tracks millionaire migrations—in 2017, the largest exodus of millionaires was seen in Turkey—a clear indication that those who can leave Turkey are choosing to do so.

Unfortunately, the Turkish people can only do so much while living under a dictatorship—a dictatorship that is about to expand on June 24, the date of Turkey's next election. For this reason, the United States should not stay silent about what is happening in Turkey and what is happening to NATO because of Turkey.

Senator TILLIS and I both serve on the Senate Armed Services Committee, and we successfully added a bipartisan and widely supported amendment to this year's Defense bill that is moving through the Senate. The amendment would stall the delivery or transfer of F–35 Joint Strike Fighters to Turkey.

I hope that both the Departments of State and Defense hear Congress loud and clear: We should have no signing ceremonies, no planes, and no moves to weaken NATO are acceptable at this time.

Our government is well aware of the serious security concerns that may come if Turkey takes control of any F–35 aircraft. My colleagues Senator DONNELLY and Senator TILLIS have already spoken eloquently to that.

First, the Turkish Government claims to have purchased a Russian air defense system designed to shoot these very planes down. NATO partners need these F–35s to counter Russian activity. We would be handing this technology over to the Kremlin if we granted Turkey these planes, and Congress will not stand for it.

Second and absolutely critical to this afternoon's discussion is that nothing should be more important than the safety of American citizens.

Pastor Brunson has been held in Turkey since October of 2016. The charges against him are clearly fabricated, and the legal proceedings have been a farce. His defense is not allowed to call up witnesses, and the identities of the secret witnesses in his indictment are known to be petty criminals.

What is happening to Pastor Brunson is an absolute shame, but it has become a sad reality for those living in Turkey because Turkey has already imprisoned over 50,000 of its own people. I wish we could do more for all of those people, but at the very least, our government has a duty to act when any American anywhere is held unjustly by a foreign government. We must do everything we can to bring Americans home, to bring Pastor Brunson home.

I encourage the administration to use every tool available in their diplomatic and economic toolbox to bring the pastor and all innocent Americans home at once. In the meantime, Senators TILLIS, LANKFORD, and I will continue to push for targeted sanctions against Erdogan and all officials who are involved in the unlawful detention of Americans in Turkey. We will not cease our efforts until Turkey rejoins the community of democracies it once belonged to. We all hope this day comes sooner rather than later.

SPECIAL IMMIGRANT VISA PROGRAM

Mrs. SHAHEEN. Mr. President, I wish to also talk about an issue that has not made it into the Defense authorization bill, unlike the amendment that Senator TILLIS and I support.

Sadly, help for the Afghans who aided our troops in the war in Afghanistan is not included in this Defense authorization bill. As most of us know in

the Senate, the Afghan special immigrant visa program allows Afghans who supported the U.S. mission in Afghanistan and who face threats of harm to themselves or their families because of their service—we allow them to apply for refuge in the United States through the special immigrant visa program, or SIV program.

Over the years, there has been strong bipartisan support for this effort to bring those Afghans in harm's way back to the United States. I am pleased to have worked with Senator TILLIS, Senator WICKER, Senator LEAHY, Senator GRAHAM, and, of course, Senator MCCAIN, who has been the champion in the Senate to address this issue. I am proud to partner yet again with these Senators, and we have introduced legislation to authorize 4,000 SIVs for 2019 so that we can continue to bring to the United States those people who are at risk.

Even as the administration sharply restricts immigration and refugee programs, President Trump has made an exception for those who serve alongside our soldiers and diplomats. He has included 4,000 Afghan SIVs in his budget request for this upcoming fiscal year. The support for this program truly is bipartisan.

I am here on the floor with Senator TILLIS today to try to put a face on this important program.

Afghan civilians who have assisted our military as interpreters, firefighters, construction workers, and community liaisons are being targeted by the Taliban for their willingness to work with the United States. Without congressional approval, our military and our diplomats will be powerless to help those Afghans. Moreover, U.S. officials in Afghanistan will be powerless to help themselves. Unless Congress acts, this program will lapse, and our Embassy and military will unnecessarily suffer the devastating effects of this decision.

We cannot afford to break our promises to the Afghan people, to those who serve our mission with such loyalty and at such enormous risk, particularly at this time. U.S. forces—our military—and our diplomats have always relied on local people to help accomplish our mission. As we think about our future engagements, we will need this kind of support in other places in the future. What does it say to people if we renege on our promises to the Afghans? We must be aware of the message we are sending to partners around the world when we don't fulfill our duty to protect them after they have protected us. This is exactly why countless military commanders and Ambassadors have pleaded with Congress to extend the Afghan SIV program.

Behind me is a quote from Senator JOHN MCCAIN, a leader, as I said, in the effort to ensure the safety of Afghan SIVs. We have worked together each year since 2013, and his presence is sorely missed this year. During last year's NDAA debate, he said:

> We're talking about the lives of men who have put it on the line for the men and women serving. . . . They're going to die if we don't pass this amendment and take them out of harm's way. Don't you understand the gravity of that?''

That is what Senator MCCAIN had to say in 2016 when we were trying to get this done in the Defense authorization bill. He is right. There is no plan B for these Afghans. Either we save them by authorizing additional special immigrant visas, or they will die. They will be killed. Their families will be killed.

If Senator MCCAIN were able to come to the floor today, I have no doubt that he would be right here with Senator TILLIS and me saying the same thing. I hope that we can do Senator MCCAIN a service by reauthorizing the program he cared so much about under the bill that bears his name.

We have also had many officials who have spoken out against attempts to limit the eligibility of applicants. Former U.S. Ambassador to Afghanistan Ryan Crocker said:

> When deciding whom to kill, the Taliban do not make such distinctions in service—nor should we when determining whom to save.

Similarly, our former commander in Afghanistan, General Stanley McChrystal, said:

> Afghans performing a variety of roles are vital to the U.S. mission, whether they work directly or indirectly with U.S. Forces. I would urge Congress not to further erode already limited eligibility guidelines.

In addition, our soldiers and marines are keenly interested in protecting Afghan civilians who served with them. Many of them owe their lives to the Afghans in various roles who went into combat with them.

The roles in which Afghans serve range from interpreter, to lawyer, to aid administrators, to cafeteria workers.

Abdul—who doesn't want his last name used because he fears for the safety of his family back home—worked as the head waiter for American troops in Afghanistan. Despite his classification as a cafeteria employee, he helped our troops translate documents and interpret conversations they were having both on and off the base. One night he came in, and someone jumped him, beat him up, and threatened to kill him and his family if he continued to help the United States.

Abdul was recommended for a special immigrant visa by the Army sergeant he reported to, who found him the night he was attacked. The chief of mission who approved his application thought that Abdul's heartfelt service to our Nation was worthy enough to help save his life. I believe that too. He wasn't an interpreter. He wasn't part of a narrow group of Afghans who helped us. But he was there, nevertheless, putting his life on the line for Americans serving in Afghanistan.

Last year, in Keene, NH, I met with a remarkable immigrant from Afghanistan named Patmana Rafiq Kunary. Patmana had worked closely with the U.S. Agency for International Development in Kabul. She went door-to-door and encouraged women to take out microloans to start their own businesses. Patmana eventually became the vice president of operations for the USAID-sponsored microloan program.

Yet, for a woman in Afghanistan, going door-to-door and working closely with Americans, this was dangerous work. She drew unwelcome attention wherever she went, and she became a high-profile target for the Taliban and others. Then, one day in 2013, she received a call at her USAID office. It was from the distraught wife of a USAID colleague, an Afghan. The caller's husband had just been murdered, apparently, in retaliation for his work with the Americans.

In her realizing that her life was in danger, too, Patmana applied for a special immigrant visa. For 2 years, she and her husband were subjected to repeated interviews at the U.S. Embassy in Kabul. She told me that while those background checks were going on, they had to move periodically because, as soon as they settled someplace, the Taliban would find out where they were, and they would be threatened again. Her background was checked and rechecked before the visas were finally granted.

Now, thankfully, Patmana lives happily in Keene. Her husband has found work, and they have a 3-year-old daughter. They are welcomed as valued members of the Keene community.

When it comes to the SIV program, there is no shortage of inspiring narratives like the ones I am sharing today. It is no wonder that during his own confirmation process, the Secretary of Defense, Gen. James Mattis, said: ''Most of our units could not have accomplished their missions without the assistance, often at the risk of their lives, of these courageous men and women.''

We would never leave an American warrior behind on the battlefield. Likewise, we must not leave behind those Afghans who served side by side with our warriors and diplomats. We made a solemn promise to these brave men and women, and I know that those of us here who believe we need to keep that promise are going to do everything we can to make sure that those special immigrant visas are authorized and available next year for those thousands of Afghans who are still in the queue, who are still themselves facing threats and threats to their families because of their trying to help our military in Afghanistan.

I encourage all of my colleagues in the Senate to allow this program to continue and to not permit any ill-informed notions about the program's eligibility standards or the vetting process distract from its success and from the strong bipartisan support it receives each year. I urge my colleagues to keep our promise to our Afghan allies by supporting these efforts.

I am very pleased to be here with Senator TILLIS, who is also committed

to the effort of trying to get this done. I know my colleague Senator ERNST, who is here to speak, is also a supporter of this program. There is strong bipartisan support to make this happen. We should not allow one or two people to keep us from moving forward.

I thank the Presiding Officer. We will continue to work on this effort.

The PRESIDING OFFICER (Mr. TILLIS). The Senator from Iowa.

NATIONAL DEFENSE AUTHORIZATION BILL

Mrs. ERNST. Mr. President, the 2019 National Defense Authorization Act on the floor today is a bipartisan bill that is focused on ensuring our warfighters are prepared to operate across the full spectrum of conflict and to support the objectives laid out in the 2018 national defense strategy.

I am disappointed that we were not able to come together and work through a robust, bipartisan amendment process this year on the floor. We had a great markup, and I am thankful that my colleagues across the aisle were so willing to work together in a bipartisan manner on this piece of legislation.

As the chair of the Emerging Threats and Capabilities Subcommittee, I worked hard with my ranking member, Senator HEINRICH of New Mexico, to ensure the NDAA invests additional funding in innovative technologies so that we can maintain U.S. technological superiority over near-peer adversaries, particularly in the areas of hypersonics, unmanned systems, directed energy, and artificial intelligence.

The NDAA provides much needed funding to our Special Operations forces, which are playing a key role in combating terrorist networks and countering growing aggression by adversaries like Russia, China, and Iran. It also fully funds SOCOM's request for the Preservation of the Force and Families Initiative and expands key authorities to provide enhanced support to the families of our special operators.

By supporting a total of $716 billion for our Nation's defense, the NDAA provides the flexibility that is needed for our military to make targeted investments for the future. It also addresses issues that deeply impact our servicemembers.

I especially thank Senator WARREN, of Massachusetts, for her work with me in addressing research and treatment options for traumatic brain injuries. This is an issue that is especially important to me as a veteran, for I have known and worked with individuals who have experienced blasts and rollovers in military vehicles, and we know the implications that come from those who suffer from traumatic brain injury.

I urge my colleagues to support the NDAA. This bill is absolutely vital to restoring the health of our military and supporting our national security objectives. Again, I urge my colleagues to support this bill. It is vital we complete our NDAA.

ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD–423.

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

DEFENSE SECURITY COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 18–18, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of India for defense articles and services estimated to cost $930 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

CHARLES W. HOOPER,
Lieutenant General, USA, Director.

Enclosures.

TRANSMITTAL NO. 18–18

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(1) Prospective Purchaser: Government of India.

(ii) Total Estimated Value:
Major Defense Equipment * $340 million.
Other $590 million.
Total $930 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase: The Government of India has requested the sale of the following items in support of a proposed direct commercial sale of six (6) AH–64E Apache helicopters:
Major Defense Equipment (MDE):
Fourteen (14) T700–GE–701D
Four (4) AN/APG–78 Fire Control Radars
Four (4) Radar Electronic Units (REU) Block III
Four (4) AN/APR–48B Modernized Radar Frequency Interferometers (M–RFI's)
One hundred eighty (180) AGM–114L–3 Hellfire Longbow Missiles
Ninety (90) AGM–114R–3 Hellfire II Missiles
Two hundred (200) Stinger Block I–92H Missiles
Seven (7) Modernized Target Acquisition and Designation Sights (MTADS)/Pilot Night Vision Sensors (PNVS)
Fourteen (14) Embedded Global Positioning System/Inertial Navigation Systems (EGI)
Non-MDE: Also included are 2.75'' HE M151 rockets, training and dummy missiles, 30mm cannons and ammunition, transponders, simulators, communication equipment, spare and repair parts, tools and test equipment, support equipment, repair and return support, personnel training and training equipment, publications and technical documentation, U.S. Government and contractor engineering and logistics support services, and other related elements of logistic and program support.

(iv) Military Department: Army (IN–B–UAN).

(v) Prior Related Cases, if any: IN–B–UAH.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: June 12, 2018.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

India—Support for Direct Commercial Sale of AH–64E Apache Helicopters

The Government of India has requested to buy the following items in support of a proposed direct commercial sale of six (6) AH–64E Apache helicopters: fourteen (14) T700–GE–701D engines; four (4) AN/APG–78 Fire Control Radars; four (4) Radar Electronic Units (REU) Block III; four (4) AN/APR–48B Modernized Radar Frequency Interferometers (M–RFI's); one hundred eighty (180) AGM–114L–3 Hellfire Longbow missiles; ninety (90) AGM–114R–3 Hellfire II missiles; two hundred (200) Stinger Block I–92H missiles; seven (7) Modernized Target Acquisition Designation Sight/Pilot Night Vision Sensors (MTADS–PNVS); and fourteen (14) Embedded GPS Inertial Navigation Systems (EGI). Also included are rockets, training and dummy missiles, 30mm cannons and ammunition, transponders, simulators, communication equipment, spare and repair parts, tools and test equipment, support equipment, repair and return support, personnel training and training equipment, publications and technical documentation, U.S. Government and contractor engineering and logistics support services, and other related elements of logistic and program support. The total estimated program cost is $930 million.

This proposed sale will contribute to the foreign policy and national security of the United States by helping to strengthen the U.S.-Indian strategic relationship and to improve the security of an important partner which continues to be an important force for political stability, peace, and economic progress in South Asia.

The proposed sale is in conjunction with and in support of a proposed direct commercial sale of six (6) AH–64E Apache helicopters, and will strengthen India's ability to defend its homeland and deter regional threats. This support for the AH–64E will provide an increase in India's defensive capability to counter ground-armored threats and modernize its armed forces. India will have no difficulty absorbing the helicopters and support equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime contractors will be Lockheed Martin Corporation, Orlando, FL; General Electric Company, Cincinnati, OH; Lockheed Martin Mission Systems and Sensors, Owego, NY; Longbow Limited Liability Corporation, Orlando, FL; and Raytheon Company, Tucson, AZ. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require U.S. Government or contractor representatives to travel to India for a period of one week at a time to conduct a detailed discussion of the various aspects of the hybrid program with Government of India representatives. Additional travel will be required for equipment de-processing/fielding, system checkout and new equipment training and Contractor Furnished Service Representatives (CFSR) for a period of thirty months.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 18–18

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The AN/APG–78 Fire Control Radar (FCR) is an active, low-probability of intercept, millimeter-wave radar, combined with a passive Modernized Radar Frequency Interferometer (MRFI) mounted on top of the helicopter mast. The FCR Ground Targeting Mode detects, locates, classifies and prioritizes stationary or moving armored vehicles, tanks and mobile air defense systems as well as hovering helicopters, helicopters, and fixed wing aircraft in normal flight. The MRFI detects threat radar emissions and determines the type of radar and mode of operation. The FCR data and MRFI data are fused for maximum synergism. If desired, the radar data can be used to refer targets to the regular electro-optical Target Acquisition and Designation Sight (TADS), Modernized Target Acquisition and Designation Sight (MTADS), permitting additional visual/infrared imagery and control of weapons, including the semi active laser version of the Hellfire. Critical system information is stored in the FCR in the form of mission executable code, target detection, classification algorithms and coded threat parametrics. This information is provided in a form that cannot be extracted by the foreign user due to anti-tamper provisions built into the system. The content of these items is classified SECRET.

2. The Modernized Target Acquisition and Designation Sight/Modernized Pilot Night Vision Sensor (M–TADS/M–PNVS) provides second generation day, night, limited adverse weather target information, as well as night navigation capabilities. The M–PNVS provides second generation thermal imaging that permits nap-of-the-earth flight to, from, and within the battle area, while M–TADS provides the co-pilot gunner with improved search, detection, recognition, and designation by means of Direct View Optics (DVO), I^2 television, second generation Forward Looking Infrared (FLIR) sighting systems that may be used singularly or in combinations. Hardware and releasable technical manuals are UNCLASSIFIED.

3. The AN/APR–48B Modernized Radar Frequency Interferometer (M–RFI) is an updated version of the passive radar detection and direction finding system. It utilizes a detachable User Data Module (UDM) on the M-RFI processor, which contains the Radar Frequency (RF) threat library. The UDM, which is a hardware assemblage item, is classified CONFIDENTIAL when programmed with threat parametrics, threat priorities and/or techniques derived from U.S. intelligence information. Hardware becomes CLASSIFIED when populated with threat parametric data. Releasable technical manuals are UNCLASSIFIED.

4. The Hellfire AGM–114 missile is an air-to-surface missile with a multi-mission, multi target, precision strike capability. The Hellfire can be launched from multiple air platforms and is the primary precision weapon for the United States.

a. The Hellfire Longbow Missile (AGM–114L3) provides an adverse weather, fire- and-forget missile version of the Hellfire Missile System, incorporating a millimeter wave radar seeker on a Hellfire II aft section bus. The Hellfire Longbow Missile is designed to engage and defeat individual hardpoint targets and minimize exposure time to enemy fire, which greatly increases the AH–64E Longbow survivability factor. The AGM–114L3 non-NATO export version will be provided. The weapon system hardware, as an ''All Up Round'', is UNCLASSIFIED. The AGM–114L3 missile software is SECRET. The highest level of classified information that could be disclosed by a proposed sale or by testing of the end item is SECRET and the highest level that must be disclosed for production, maintenance, or training is CONFIDENTIAL. Vulnerability data, countermeasures, vulnerability/susceptibility analyses, and threat definitions are classified SECRET or CONFIDENTIAL.

b. The highest level for release of the AGM–114R Hellfire II missile is SECRET, based upon the software. The highest level of classified information that could be disclosed by a proposed sale or by testing the end item is SECRET; the highest level that must be disclosed for production, maintenance, or training is CONFIDENTIAL. Reverse engineering could reveal CONFIDENTIAL information. Vulnerability data, Countermeasures, vulnerability/susceptibility analyses, and threat definitions are classified up to SECRET.

5. The STINGER Block I 92H International Missile System, hardware, software and documentation contain SENSITIVE technology and are classified CONFIDENTIAL. The guidance section of the missile and captive flight trainer contain highly SENSITIVE technology and are classified CONFIDENTIAL. No man-portable grip stocks will be sold under this LOA.

Missile system hardware and fire unit components contain SENSITIVE critical technologies. STINGER critical technology is primarily in the area of design and production know-how and not end-items. This SENSITIVE/critical technology is inherent in the hybrid microcircuit assemblies; microprocessors; magnetic and amorphous metals; purification; firmware; printed circuit boards; laser range finder; dual detector assembly; detector filters; missile software; optical coatings; ultraviolet sensors; semi-conductor detectors infrared band sensors; compounding and handling of electronic, electro-optic, and optical materials; equipment operating instructions; energetic materials formulation technology; energetic materials fabrication and loading technology; and warhead components seeker assembly. Information on vulnerability to electronic countermeasures and countermeasures, system performance capabilities and effectiveness, and test data are classified up to SECRET.

6. The Stinger Captive Flight Trainer (CFT) is a Stinger missile guidance assembly in a launch tube. The CFT provides operator training in target acquisition, tracking, engagement, loading/unloading and sustainment training at the unit. The hardware is classified CONFIDENTIAL. Releasable technical manuals are UNCLASSIFIED.

7. If a technologically advanced adversary were to obtain knowledge of specific hardware, the information could be used to develop countermeasures which might reduce weapons system effectiveness or be used in the development of a system with similar or advanced capabilities.

8. A determination has been made that India can provide substantially the same degree of protection for sensitive technology being released as the U.S. Government. This proposed sustainment program is necessary to the furtherance of the U.S. foreign policy and national security objectives outlined in the policy justification.

9. All defense articles and services listed on this transmittal are authorized for release and export to the Government of the India.

ADDITIONAL STATEMENTS

REMEMBERING TRACY WARREN HYLTON

● Mr. MANCHIN. Mr. President, I rise today to honor the life and legacy of Tracy Warren Hylton, a proud West Virginian, World War II Veteran, a legendary businessman, a fierce advocate for our proud coal heritage, and one of the dearest friends I have ever known.

I have known Tracy my whole adult life. Tracy was doing business with my father-in-law, Carl Conelly, when I met him in 1966. Ever since then, I have always considered Tracy to be a very dear friend. He had a different sense humor that kept us all laughing, which will be sorely missed. Throughout his long life, he did a great deal for Raleigh County and Beckley, was a good legislator, and was always extremely kind.

Our little State has mined the coal that forged the steel that built the tanks and ships that keep our country the strongest in the world. Coal miners themselves are some the bravest and most patriotic men and women I have ever met, and it is an honor to fight for our coal heritage and our way of life that sinks deep into the roots of West Virginia's rich culture. I am so deeply proud of what our citizens have accomplished and what they will continue to accomplish. So it is with a heavy, but grateful heart that I join my fellow West Virginians in honoring Tracy, a ''king'' of coal in southern West Virginia.

There is no better position to find yourself in than being able to give back to the community you love. I can attest that my small hometown of Farmington helped make me who I am, and it brings so much joy to my life to be able to give back to the place that shaped me. Tracy and I shared that mentality.

Born on the Fourth of July in Crab Orchard and having grown up in the coalfields, Tracy was a true patriot and was passionate about our State and its heritage. His father, Arthur, was a coal miner and a carpenter, and his mother, Grace, ran a boarding house at Stotesbury. They were hard-working people, and they passed their knowledge and work ethic to each of their six children.

Tracy attended Mark Twain High School with our dear Senator Robert C. Byrd before attending Concord College and West Virginia University. He enlisted in the Army in 1943 and served in the Pacific Theatre in the 267th Anti-Aircraft Ordnance Company during World War II. When he came home,

he met the love of his life, Betty Jo Foster. They had three sons: Tracy ''Warren'' Hylton II, Robert ''Bobby'' Hylton, and Harry ''Mac'' Hylton.

It was a troubling time for the coal market and for business in general during that time. He started a few different businesses, and though he had some failures, he never gave up hope. At one point, he was running a conveyor mining business out of the front seat of his pickup truck. He did what he had to do to succeed, and eventually, he founded Perry and Hylton, Inc., which expanded to become one of the largest mine companies in West Virginia.

Tracy was well known as a pioneer of modern surface mining techniques. His reclamation sites had a profound impact on the local communities, as they became home to high schools, housing developments, farms, and greenhouses.

He was an extraordinary leader. No detail could be slipped passed him, and he wasn't one to mince words. He was a man of his word, and as an employer, he was beloved. This carried over into his role as a State senator for the ninth district for Raleigh and Wyoming Counties from 1964 to 1972 and when he was reelected to serve an additional term from 1987 to 1990.

Tracy and my uncle, A. James Manchin, would have the most interesting and entertaining debates. When they weren't debating though, they were good friends. That relationship taught me a lot about working with someone with an opposing viewpoint.

He was truly one of the most humble, generous, and hard-working people I know. His generous spirit and compassion extended throughout the State, touching the lives of countless West Virginians with his anonymous donations to various charities.

What is most important is that Tracy lived a full life, surrounded by his wife, Betty; his sons Warren, Bobby, and Mac; and his beloved grandchildren Traci Jo Hylton, Kirsten S. Hylton, Morgan Tate Hylton, and Lance M. Hylton.

He was a true West Virginian, always willing to help a neighbor in need. I am honored to recognize his memory, as well as the unwavering love he had for his family, friends, our home State, and our great Nation.●

MESSAGES FROM THE HOUSE

At 11:55 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 449. An act to require the Surgeon General of the Public Health Service to submit to Congress a report on the health effects of new psychoactive substances (including synthetic drugs) use.

H.R. 3331. An act to amend title XI of the Social Security Act to promote testing of incentive payments for behavioral health providers for adoption and use of certified electronic health record technology.

H.R. 4275. An act to provide for the development and dissemination of programs and materials for training pharmacists, health care providers, and patients on indicators that a prescription is fraudulent, forged, or otherwise indicative of abuse or diversion, and for other purposes.

H.R. 4284. An act to establish a substance use disorder information dashboard within the Department of Health and Human Services, and for other purposes.

H.R. 4684. An act to direct the Secretary of Health and Human Services to identify or facilitate the development of best practices for operating recovery housing, and for other purposes.

H.R. 5002. An act to expand the unique research initiatives authority of the National Institutes of Health.

H.R. 5009. An act to include information concerning a patient's opioid addiction in certain medical records.

H.R. 5041. An act to amend the Controlled Substances Act to authorize the employees of a hospice program to handle controlled substances lawfully in the possession of a deceased hospice patient for the purpose of disposal.

H.R. 5102. An act to amend the Public Health Service Act to authorize a loan repayment program for substance use disorder treatment employees, and for other purposes.

H.R. 5176. An act to require the Secretary of Health and Human Services to provide coordinated care to patients who have experienced a non-fatal overdose after emergency room discharge, and for other purposes.

H.R. 5197. An act to direct the Secretary of Health and Human Services to conduct a demonstration program to test alternative pain management protocols to limit the use of opioids in emergency departments.

H.R. 5228. An act to strengthen the authorities of the Food and Drug Administration to address counterfeit drugs, illegal and synthetic opioids, and opioid-like substances, and for other purposes.

H.R. 5261. An act to amend the Public Health Service Act to provide for regional centers of excellence in substance use disorder education, and for other purposes.

H.R. 5272. An act to provide additional guidance to grantees seeking funding to treat or prevent mental health or substance use disorders.

H.R. 5327. An act to amend title V of the Public Health Service Act to establish a grant program to create comprehensive opioid recovery centers, and for other purposes.

H.R. 5329. An act to amend the Public Health Service Act to reauthorize and enhance the poison center national toll-free number, national media campaign, and grant program, and for other purposes.

H.R. 5353. An act to amend the Public Health Service Act to reauthorize and expand a program of surveillance and education, carried out by the Centers for Disease Control and Prevention, regarding infections associated with injection drug use.

H.R. 5473. An act to direct the Secretary of Health and Human Services to update or issue one or more guidances addressing alternative methods for data collection on opioid sparing and inclusion of such data in product labeling, and for other purposes.

H.R. 5483. An act to impose a deadline for the promulgation of interim final regulations in accordance with section 311(h) of the Controlled Substances Act (21 U.S.C. 831(h)) specifying the circumstances in which a special registration may be issued to a practitioner to engage in the practice of telemedicine, and for other purposes.

H.R. 5582. An act to direct the Secretary of Health and Human Services to conduct a study and submit a report on barriers to accessing abuse-deterrent opioid formulations for individuals enrolled in a plan under part C or D of the Medicare program.

H.R. 5583. An act to amend title XI of the Social Security Act to require States to annually report on certain adult health quality measures, and for other purposes.

H.R. 5587. An act to amend the Public Health Service Act to authorize certain recovery service grants to be used to establish regional technical assistance centers.

H.R. 5685. An act to amend title XVIII of the Social Security Act to provide educational resources regarding opioid use and pain management as part of the Medicare & You handbook.

H.R. 5800. An act to require the Medicaid and CHIP Payment and Access Commission to conduct an exploratory study and report on requirements applicable to and practices of institutions for mental diseases under the Medicaid program.

H.R. 5812. An act to amend the Public Health Service Act to authorize the Director of the Centers for Disease Control and Prevention to carry out certain activities to prevent controlled substances overdoses, and for other purposes.

ENROLLED BILLS SIGNED

At 3:36 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 1869. An act to reauthorize and rename the position of Whistleblower Ombudsman to be the Whistleblower Protection Coordinator.

S. 2246. An act to designate the health care center of the Department of Veterans Affairs in Tallahassee, Florida, as the Sergeant Ernest I. ''Boots'' Thomas VA Clinic, and for other purposes.

H.R. 2333. An act to amend the Small Business Investment Act of 1958 to increase the amount of leverage made available to small business investment companies.

H.R. 4743. An act to amend the Small Business Act to strengthen the Office of Credit Risk Management within the Small Business Administration, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mr. HATCH).

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 449. An act to require the Surgeon General of the Public Health Service to submit to Congress a report on the health effects of new psychoactive substances (including synthetic drugs) use; to the Committee on Health, Education, Labor, and Pensions.

H.R. 4275. An act to provide for the development and dissemination of programs and materials for training pharmacists, health care providers, and patients on indicators that a prescription is fraudulent, forged, or otherwise indicative of abuse or diversion, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 4284. An act to establish a substance use disorder information dashboard within the Department of Health and Human Services, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 4684. An act to direct the Secretary of Health and Human Services to identify or facilitate the development of best practices for

operating recovery housing, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5002. An act to expand the unique research initiatives authority of the National Institutes of Health; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5009. An act to include information concerning a patient's opioid addiction in certain medical records; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5041. An act to amend the Controlled Substances Act to authorize the employees of a hospice program to handle controlled substances lawfully in the possession of a deceased hospice patient for the purpose of disposal; to the Committee on the Judiciary.

H.R. 5102. An act to amend the Public Health Service Act to authorize a loan repayment program for substance use disorder treatment employees, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5176. An act to require the Secretary of Health and Human Services to provide coordinated care to patients who have experienced a non-fatal overdose after emergency room discharge, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5197. An act to direct the Secretary of Health and Human Services to conduct a demonstration program to test alternative pain management protocols to limit the use of opioids in emergency departments; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5228. An act to strengthen the authorities of the Food and Drug Administration to address counterfeit drugs, illegal and synthetic opioids, and opioid-like substances, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5261. An act to amend the Public Health Service Act to provide for regional centers of excellence in substance use disorder education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5272. An act to provide additional guidance to grantees seeking funding to treat or prevent mental health or substance use disorders; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5327. An act to amend title V of the Public Health Service Act to establish a grant program to create comprehensive opioid recovery centers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5329. An act to amend the Public Health Service Act to reauthorize and enhance the poison center national toll-free number, national media campaign, and grant program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5353. An act to amend the Public Health Service Act to reauthorize and expand a program of surveillance and education, carried out by the Centers for Disease Control and Prevention, regarding infections associated with injection drug use; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5473. An act to direct the Secretary of Health and Human Services to update or issue one or more guidances addressing alternative methods for data collection on opioid sparing and inclusion of such data in product labeling, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5483. An act to impose a deadline for the promulgation of interim final regulations in accordance with section 311(h) of the Controlled Substances Act (21 U.S.C. 831(h)) specifying the circumstances in which a special registration may be issued to a practitioner to engage in the practice of telemedicine, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5582. An act to direct the Secretary of Health and Human Services to conduct a study and submit a report on barriers to accessing abuse-deterrent opioid formulations for individuals enrolled in a plan under part C or D of the Medicare program; to the Committee on Finance.

H.R. 5583. An act to amend title XI of the Social Security Act to require States to annually report on certain adult health quality measures, and for other purposes; to the Committee on Finance.

H.R. 5587. An act to amend the Public Health Service Act to authorize certain recovery services grants to be used to establish regional technical assistance centers; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5685. An act to amend title XVIII of the Social Security Act to provide educational resources regarding opioid use and pain management as part of the Medicare & You handbook; to the Committee on Finance.

H.R. 5800. An act to require the Medicaid and CHIP Payment and Access Commission to conduct an exploratory study and report on requirements applicable to and practices of institutions for mental diseases under the Medicaid program; to the Committee on Finance.

H.R. 5812. An act to amend the Public Health Service Act to authorize the Director of the Centers for Disease Control and Prevention to carry out certain activities to prevent controlled substances overdoses, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 5895. An act making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–5515. A communication from the Supervisory Regulations Specialist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Subsistence Management Regulations for Public Lands in Alaska—Applicability and Scope; Tongass National Forest Submerged Lands'' (RIN1018–BB22) received in the Office of the President of the Senate on June 11, 2018; to the Committee on Energy and Natural Resources.

EC–5516. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, a report entitled ''Report to Congress on Abnormal Occurrences: Fiscal Year (FY) 2017''; to the Committee on Environment and Public Works.

EC–5517. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Subsistence Harvest in Alaska; Harvest Regulations for Migratory Birds in Alaska During the 2018 Season'' (RIN1018–BC70) received in the Office of the President of the Senate on June 11, 2018; to the Committee on Environment and Public Works.

EC–5518. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Migratory Bird Hunting; Final Frameworks for Migratory Bird Hunting Regulations'' (RIN1018–BB73) received in the Office of the President of the Senate on June 11, 2018; to the Committee on Environment and Public Works.

EC–5519. A communication from the Chief of the Branch of Recovery and States Grants, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Removing Trichostema austromontanum ssp. compactum (Hidden Lake Bluecurls) from the Federal List of Endangered and Threatened Plants'' (RIN1018–BB39) received in the Office of the President of the Senate on June 11, 2018; to the Committee on Environment and Public Works.

EC–5520. A communication from the Chief of the Branch of Delisting and Foreign Species, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Reclassifying Tobusch Fishhook Cactus from Endangered to Threatened and Adopting a New Scientific Name'' (RIN1018–BB90) received in the Office of the President of the Senate on June 11, 2018; to the Committee on Environment and Public Works.

EC–5521. A communication from the Chief of the Branch of Delisting and Foreign Species, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Reclassifying Echinocereus fendleri var. kuenzleri from Endangered to Threatened'' (RIN1018–BB89) received in the Office of the President of the Senate on June 11, 2018; to the Committee on Environment and Public Works.

EC–5522. A communication from the Chief of the Branch of Delisting and Foreign Species, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Removal of the Lesser Long-nosed Bat from the Federal List of Endangered and Threatened Wildlife'' (RIN1018–BB91) received in the Office of the President of the Senate on June 11, 2018; to the Committee on Environment and Public Works.

EC–5523. A communication from the Chairman, Advisory Committee for Trade Policy Negotiations, transmitting, pursuant to law, a report entitled ''Report to the Congress on the Extension of Trade Promotion Authority''; to the Committee on Finance.

EC–5524. A communication from the Director of the Office of Presidential Appointments, Department of State, transmitting, pursuant to law, thirteen (13) reports relative to vacancies in the Department of State, received in the Office of the President of the Senate on June 11, 2018; to the Committee on Foreign Relations.

EC–5525. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Least Burdensome Training Audit''; to the Committee on Health, Education, Labor, and Pensions.

EC–5526. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting,

pursuant to law, the Food and Drug Administration's (FDA) annual report on Drug Shortages for Calendar Year 2017; to the Committee on Health, Education, Labor, and Pensions.

EC–5527. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Food Additives Permitted in Feed and Drinking Water of Animals; Formic Acid as a Feed Acidifying Agent in Complete Poultry Feeds'' ((21 CFR Part 573)(Docket No. FDA–2017–F–2130)) received during adjournment of the Senate in the Office of the President of the Senate on June 8, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC–5528. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Listing of Color Additives Subject to Certification; D&C Black No. 4'' ((21 CFR Part 74)(Docket No. FDA–2017–C–0935)) received during adjournment of the Senate in the Office of the President of the Senate on June 8, 2018; to the Committee on Health, Education, Labor, and Pensions.

EC–5529. A communication from the Chief of the Freedom of Information Act Office, Department of the Army, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''The Freedom of Information Act Program'' ((RIN0702–AA79)(32 CFR Part 518)) received during adjournment of the Senate in the Office of the President of the Senate on June 8, 2018; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM–245. A resolution adopted by the City Council of the City of Oberlin, Ohio urging the United States Congress to support Carbon Fee and Dividend as a key element in reducing the risks of climate change; to the Committee on Environment and Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SHELBY, from the Committee on Appropriations:

Special Report entitled ''Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2019'' (Rept. No. 115–273).

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. JOHNSON for the Committee on Homeland Security and Governmental Affairs.

*Kelly Higashi, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

*Emory A. Rounds III, of Maine, to be Director of the Office of Government Ethics for a term of five years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CASSIDY (for himself, Mr. CARDIN, and Ms. COLLINS):

S. 3058. A bill to amend the Internal Revenue Code of 1986 to eliminate the requirement that the taxpayer's basis in a building be reduced by the amount of the rehabilitation credit determined with respect to such building; to the Committee on Finance.

By Mr. JONES (for himself, Mr. NELSON, Ms. KLOBUCHAR, Mr. KAINE, Ms. SMITH, and Mr. KING):

S. 3059. A bill to require the Medicaid and CHIP Payment and Access Commission to publish an annual report on the estimated impact in each State of the Medicaid expansion added by the Patient Protection and Affordable Care Act, including the estimated impact that adopting such expansion would have in States that have not expanded their Medicaid coverage; to the Committee on Finance.

By Ms. CANTWELL (for herself, Mr. MORAN, and Mrs. MURRAY):

S. 3060. A bill to repeal section 2141 of the Revised Statutes to remove the prohibition on certain alcohol manufacturing on Indian lands; to the Committee on Indian Affairs.

By Mr. COONS (for himself and Mr. YOUNG):

S. 3061. A bill to promote registered apprenticeships, including registered apprenticeships within in-demand industry sectors, through the support of workforce intermediaries, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. SMITH:

S. 3062. A bill to amend the Department of Agriculture Reorganization Act of 1994 to require the Military Veterans Agricultural Liaison to provide certain outreach to veterans with respect to agricultural employment, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BARRASSO:

S. 3063. A bill to delay the reimposition of the annual fee on health insurance providers until after 2020; to the Committee on Finance.

By Mrs. MURRAY (for herself, Mr. SCHUMER, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. COONS, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mr. DURBIN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Ms. HARRIS, Mr. HEINRICH, Ms. HIRONO, Mr. LEAHY, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Mr. MURPHY, Mr. PETERS, Mr. REED, Ms. SMITH, Ms. STABENOW, Mr. UDALL, Mr. VAN HOLLEN, Ms. WARREN, Mr. WHITEHOUSE, Mr. WYDEN, and Ms. CANTWELL):

S. 3064. A bill to amend the National Labor Relations Act, the Labor Management Relations Act, 1947, and the Labor-Management Reporting and Disclosure Act, 1959, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. HIRONO (for herself, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Ms. CANTWELL, Mr. CASEY, Mr. COONS, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Ms. HARRIS, Mr. HELLER, Mr. KAINE, Ms. KLOBUCHAR, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Ms. MURKOWSKI, Mrs. MURRAY, Mr. SCHATZ, Mr. SCHUMER, and Ms. WARREN):

S. Res. 546. A resolution recognizing the significance of Asian/Pacific American Heritage Month as an important time to celebrate the significant contributions of Asian Americans and Pacific Islanders to the history of the United States; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 379

At the request of Mr. COTTON, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 379, a bill to amend title II of the Social Security Act to eliminate the five month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis.

S. 515

At the request of Mr. CASEY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 515, a bill to require the Secretary of Labor to maintain a publicly available list of all employers that relocate a call center overseas, to make such companies ineligible for Federal grants or guaranteed loans, and to require disclosure of the physical location of business agents engaging in customer service communications, and for other purposes.

S. 802

At the request of Mr. BROWN, the names of the Senator from New York (Mr. SCHUMER), the Senator from Colorado (Mr. BENNET), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from New Mexico (Mr. HEINRICH), the Senator from Oregon (Mr. MERKLEY), the Senator from Connecticut (Mr. MURPHY), the Senator from Vermont (Mr. SANDERS), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 802, a bill to award a Congressional Gold Medal in honor of Lawrence Eugene ''Larry'' Doby in recognition of his achievements and contributions to American major league athletics, civil rights, and the Armed Forces during World War II.

S. 1112

At the request of Ms. HEITKAMP, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1112, a bill to support States in their work to save and sustain the

health of mothers during pregnancy, childbirth, and in the postpartum period, to eliminate disparities in maternal health outcomes for pregnancy-related and pregnancy-associated deaths, to identify solutions to improve health care quality and health outcomes for mothers, and for other purposes.

S. 1212

At the request of Mrs. FEINSTEIN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 1212, a bill to provide family members of an individual who they fear is a danger to himself, herself, or others, and law enforcement, with new tools to prevent gun violence.

S. 1600

At the request of Ms. HIRONO, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 1600, a bill to amend title II of the Social Security Act and the Internal Revenue Code of 1986 to make improvements in the old-age, survivors, and disability insurance program, and to provide for Social Security benefit protection.

S. 1814

At the request of Mr. KAINE, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Minnesota (Ms. SMITH) were added as cosponsors of S. 1814, a bill to provide support for the development of middle school career exploration programs linked to career and technical education programs of study.

S. 2269

At the request of Mr. CASEY, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2269, a bill to reauthorize the Global Food Security Act of 2016 for 5 additional years.

S. 2559

At the request of Mr. GRASSLEY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2559, a bill to amend title 17, United States Code, to implement the Marrakesh Treaty, and for other purposes.

S. 2591

At the request of Mr. BLUMENTHAL, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2591, a bill to amend title 9 of the United States Code with respect to arbitration.

S. 2629

At the request of Mr. CARPER, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 2629, a bill to improve postal operations, service, and transparency.

S. 2863

At the request of Mr. BLUNT, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2863, a bill to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes.

S. 2885

At the request of Ms. SMITH, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2885, a bill to amend the Securities Exchange Act of 1934 to require additional disclosure for pharmaceutical companies.

S. 2896

At the request of Mr. KENNEDY, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 2896, a bill to require disclosure by lobbyists of convictions for bribery, extortion, embezzlement, illegal kickbacks, tax evasion, fraud, conflicts of interest, making false statements, perjury, or money laundering.

S. 3036

At the request of Mrs. FEINSTEIN, the names of the Senator from Minnesota (Ms. SMITH), the Senator from Illinois (Ms. DUCKWORTH) and the Senator from New Hampshire (Ms. HASSAN) were added as cosponsors of S. 3036, a bill to limit the separation of families at or near ports of entry.

S. 3046

At the request of Ms. SMITH, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 3046, a bill to allow the Secretary of Agriculture to enter into self-determination contracts with Indian Tribes and Tribal organizations to carry out supplemental nutrition assistance programs.

S. 3047

At the request of Mrs. MCCASKILL, the names of the Senator from New Hampshire (Ms. HASSAN) and the Senator from North Dakota (Ms. HEITKAMP) were added as cosponsors of S. 3047, a bill to establish a narcotic drug screening technology pilot program to combat illicit opioid importation, and for other purposes.

S. RES. 414

At the request of Mr. DURBIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. Res. 414, a resolution condemning the continued undemocratic measures by the Government of Venezuela to undermine the independence of democratic institutions and calling for a free and fair electoral process.

AMENDMENT NO. 2290

At the request of Mr. CASEY, his name was added as a cosponsor of amendment No. 2290 intended to be proposed to H.R. 5515, to authorize appropriations for fiscal year 2019 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.

AMENDMENT NO. 2294

At the request of Mr. CASEY, his name was added as a cosponsor of amendment No. 2294 intended to be proposed to H.R. 5515, to authorize appropriations for fiscal year 2019 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.

AMENDMENT NO. 2321

At the request of Mr. COTTON, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of amendment No. 2321 intended to be proposed to H.R. 5515, to authorize appropriations for fiscal year 2019 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.

AMENDMENT NO. 2329

At the request of Mr. CASEY, his name was added as a cosponsor of amendment No. 2329 intended to be proposed to H.R. 5515, to authorize appropriations for fiscal year 2019 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.

AMENDMENT NO. 2347

At the request of Mr. CASEY, his name was added as a cosponsor of amendment No. 2347 intended to be proposed to H.R. 5515, to authorize appropriations for fiscal year 2019 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.

AMENDMENT NO. 2356

At the request of Mr. CASEY, his name was added as a cosponsor of amendment No. 2356 intended to be proposed to H.R. 5515, to authorize appropriations for fiscal year 2019 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.

AMENDMENT NO. 2357

At the request of Mr. CASEY, his name was added as a cosponsor of amendment No. 2357 intended to be proposed to H.R. 5515, to authorize appropriations for fiscal year 2019 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.

AMENDMENT NO. 2366

At the request of Mr. DURBIN, his name was added as a cosponsor of amendment No. 2366 proposed to H.R. 5515, to authorize appropriations for fiscal year 2019 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.

AMENDMENT NO. 2374

At the request of Mr. CASEY, his name was added as a cosponsor of amendment No. 2374 intended to be proposed to H.R. 5515, to authorize appropriations for fiscal year 2019 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.

AMENDMENT NO. 2411

At the request of Mr. NELSON, the names of the Senator from Massachusetts (Ms. WARREN), the Senator from Pennsylvania (Mr. CASEY), the Senator from Vermont (Mr. SANDERS), the Senator from Florida (Mr. RUBIO) and the Senator from Minnesota (Ms. SMITH) were added as cosponsors of amendment No. 2411 intended to be proposed to H.R. 5515, to authorize appropriations for fiscal year 2019 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.

AMENDMENT NO. 2412

At the request of Mr. NELSON, the names of the Senator from Hawaii (Ms. HIRONO), the Senator from Florida (Mr. RUBIO), the Senator from Pennsylvania (Mr. CASEY), the Senator from Texas (Mr. CORNYN), the Senator from New York (Mrs. GILLIBRAND) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of amendment No. 2412 intended to be proposed to H.R. 5515, to authorize appropriations for fiscal year 2019 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.

AMENDMENT NO. 2514

At the request of Mr. COTTON, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of amendment No. 2514 intended to be proposed to H.R. 5515, to authorize appropriations for fiscal year 2019 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.

AMENDMENT NO. 2573

At the request of Ms. MURKOWSKI, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of amendment No. 2573 intended to be proposed to H.R. 5515, to authorize appropriations for fiscal year 2019 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.

AMENDMENT NO. 2630

At the request of Mr. BLUMENTHAL, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of amendment No. 2630 intended to be proposed to H.R. 5515, to authorize appropriations for fiscal year 2019 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.

AMENDMENT NO. 2642

At the request of Ms. BALDWIN, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of amendment No. 2642 intended to be proposed to H.R. 5515, to authorize appropriations for fiscal year 2019 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.

AMENDMENT NO. 2667

At the request of Mr. CORNYN, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of amendment No. 2667 intended to be proposed to H.R. 5515, to authorize appropriations for fiscal year 2019 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.

AMENDMENT NO. 2672

At the request of Mr. ROUNDS, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 2672 intended to be proposed to H.R. 5515, to authorize appropriations for fiscal year 2019 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.

AMENDMENT NO. 2725

At the request of Mr. LEE, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of amendment No. 2725 intended to be proposed to H.R. 5515, to authorize appropriations for fiscal year 2019 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.

AMENDMENT NO. 2760

At the request of Ms. CANTWELL, the names of the Senator from New Mexico (Mr. HEINRICH), the Senator from Hawaii (Ms. HIRONO), the Senator from Massachusetts (Mr. MARKEY), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of amendment No. 2760 intended to be proposed to H.R. 5515, to authorize appropriations for fiscal year 2019 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.

AMENDMENT NO. 2807

At the request of Mr. CRUZ, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of amendment No. 2807 intended to be proposed to H.R. 5515, to authorize appropriations for fiscal year 2019 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.

AMENDMENT NO. 2819

At the request of Mr. UDALL, the names of the Senator from Washington (Ms. CANTWELL), the Senator from New Hampshire (Ms. HASSAN), the Senator from Michigan (Ms. STABENOW) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of amendment No. 2819 intended to be proposed to H.R. 5515, to authorize appropriations for fiscal year 2019 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.

AMENDMENT NO. 2840

At the request of Mr. CASEY, his name was added as a cosponsor of amendment No. 2840 intended to be proposed to H.R. 5515, to authorize appropriations for fiscal year 2019 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.

AMENDMENT NO. 2843

At the request of Mrs. CAPITO, the names of the Senator from Arkansas (Mr. BOOZMAN), the Senator from Utah (Mr. HATCH) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of amendment No. 2843 intended to be proposed to H.R. 5515, to authorize appropriations for fiscal year 2019 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.

AMENDMENT NO. 2854

At the request of Mrs. GILLIBRAND, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of amendment No. 2854 intended to be proposed to H.R. 5515, to authorize appropriations for fiscal year 2019 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.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 546—RECOGNIZING THE SIGNIFICANCE OF ASIAN/PACIFIC AMERICAN HERITAGE MONTH AS AN IMPORTANT TIME TO CELEBRATE THE SIGNIFICANT CONTRIBUTIONS OF ASIAN AMERICANS AND PACIFIC ISLANDERS TO THE HISTORY OF THE UNITED STATES

Ms. HIRONO (for herself, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Ms. CANTWELL, Mr. CASEY, Mr. COONS, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Ms. HARRIS, Mr. HELLER, Mr. KAINE, Ms. KLOBUCHAR, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Ms. MURKOWSKI, Mrs. MURRAY, Mr. SCHATZ, Mr. SCHUMER, and Ms. WARREN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 546

Whereas the people of the United States join together each May to pay tribute to the contributions of generations of Asian Americans and Pacific Islanders who have enriched the history of the United States;

Whereas the history of Asian Americans and Pacific Islanders in the United States is inextricably tied to the story of the United States;

Whereas the Asian American and Pacific Islander community is an inherently diverse population, comprised of over 45 distinct ethnicities and over 100 language dialects;

Whereas, according to the Bureau of the Census, the Asian American population grew faster than any other racial or ethnic group over the last decade, surging nearly 72 percent between 2000 and 2015;

Whereas there are approximately 21,000,000 residents of the United States who identify themselves as Asian and approximately 1,500,000 residents of the United States who identify themselves as Native Hawaiian or other Pacific Islander, making up nearly 6 percent of the total population of the United States;

Whereas the month of May was selected for Asian/Pacific American Heritage Month because the first Japanese immigrants arrived in the United States on May 7, 1843, and the first transcontinental railroad was completed on May 10, 1869, with substantial contributions from Chinese immigrants;

Whereas section 102 of title 36, United States Code, officially designates May as Asian/Pacific American Heritage Month and requests the President to issue an annual proclamation calling on the people of the United States to observe the month with appropriate programs, ceremonies, and activities;

Whereas 2018 marks several important milestones for the Asian American and Pacific Islander community, including—

(1) the 120th anniversary of United States v. Wong Kim Ark, 169 U.S. 649 (1898), a Supreme Court decision that determined that the 14th Amendment grants birthright citizenship to all persons born in the United States, regardless of the national origin of their parents;

(2) the 75th anniversary of the Act entitled ''An Act to repeal the Chinese Exclusion Acts, to establish quotas, and for other purposes'', approved December 17, 1943 (commonly known as the ''Magnuson Act of 1943'') (57 Stat. 600, chapter 344), which formally repealed the Act entitled ''An Act to execute certain treaty stipulations relating to Chinese'', approved May 6, 1882 (commonly known as the ''Chinese Exclusion Act of 1882'') (22 Stat. 58, chapter 126);

(3) the 30th anniversary of the passage of the Civil Liberties Act of 1988 (50 U.S.C. 4211 et seq.), which granted reparations to Japanese Americans incarcerated during World War II; and

(4) the 25th anniversary of the enactment of Public Law 103–150 (107 Stat. 1510), which acknowledged the 100th anniversary of the January 17, 1893, overthrow of the Kingdom of Hawaii and offered an apology to Native Hawaiians on behalf of the United States;

Whereas Asian Americans and Pacific Islanders have made significant contributions to the United States at all levels of the Federal Government and the United States Armed Forces, including—

(1) Daniel K. Inouye, a Medal of Honor and Presidential Medal of Freedom recipient who, as President Pro Tempore of the Senate, was the highest-ranking Asian American government official in the history of the United States;

(2) Dalip Singh Saund, the first Asian American Congressman;

(3) Patsy T. Mink, the first woman of color and Asian American woman to be elected to Congress;

(4) Hiram L. Fong, the first Asian American Senator;

(5) Daniel K. Akaka, the first Senator of Native Hawaiian ancestry;

(6) Norman Y. Mineta, the first Asian American member of a Presidential cabinet; and

(7) Elaine L. Chao, the first Asian American woman member of a presidential cabinet;

Whereas the Congressional Asian Pacific American Caucus, a bicameral caucus of Members of Congress advocating on behalf of Asian Americans and Pacific Islanders, is composed of 63 Members this year, including 17 Members of Asian or Pacific Islander descent;

Whereas, in 2018, Asian Americans and Pacific Islanders are serving in State and Territorial legislatures across the United States in record numbers, including in—

(1) the States of Alaska, Arizona, California, Connecticut, Georgia, Hawaii, Idaho, Illinois, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Texas, Utah, Virginia, Washington, and West Virginia; and

(2) the Territories of American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands;

Whereas the commitment of the United States to diversity in the judiciary has been demonstrated by the nominations of high-caliber Asian American and Pacific Islander jurists at all levels of the Federal bench;

Whereas there remains much to be done to ensure that Asian Americans and Pacific Islanders have access to resources and a voice in the government of the United States and continue to advance in the political landscape of the United States; and

Whereas celebrating Asian/Pacific American Heritage Month provides the people of the United States with an opportunity to recognize the achievements, contributions, and history of, and to understand the challenges faced by, Asian Americans and Pacific Islanders: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the significance of Asian/Pacific American Heritage Month as an important time to celebrate the significant contributions of Asian Americans and Pacific Islanders to the history of the United States; and

(2) recognizes that Asian American and Pacific Islander communities enhance the rich diversity of and strengthen the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2860. Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table.

SA 2861. Mr. GRAHAM submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2862. Mr. MORAN (for himself, Mr. ROBERTS, and Ms. CORTEZ MASTO) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2863. Mr. ROUNDS submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2864. Mr. ROUNDS submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2865. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2866. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2867. Mr. SASSE (for himself and Mr. TOOMEY) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2868. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2869. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2870. Mr. PERDUE submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2871. Mr. YOUNG submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2872. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2873. Mr. SULLIVAN (for himself and Mr. GARDNER) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2874. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 2514 submitted by Mr. COTTON (for himself, Mr. VAN HOLLEN, Mr. SCHUMER, Mr. RUBIO, Mr. BLUMENTHAL, Ms. COLLINS, and Mr. NELSON) and intended to be proposed to the amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2875. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2876. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2877. Mr. BURR (for himself, Mr. WARNER, Mr. DURBIN, and Mr. SHELBY) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2878. Mr. BURR (for himself and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2879. Mr. BURR (for himself and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2880. Mr. BURR (for himself and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2881. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2882. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2883. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2884. Mr. REED submitted an amendment intended to be proposed to amendment SA 2276 submitted by Mr. BOOZMAN (for himself, Mr. INHOFE, Mrs. CAPITO, and Mr. ENZI) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2885. Mr. REED submitted an amendment intended to be proposed to amendment SA 2276 submitted by Mr. BOOZMAN (for himself, Mr. INHOFE, Mrs. CAPITO, and Mr. ENZI) and intended to be proposed to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2886. Ms. STABENOW (for herself, Mr. TILLIS, Mr. PETERS, Mr. BURR, Mr. CARPER, Ms. CANTWELL, and Ms. HASSAN) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2887. Mr. SASSE (for himself and Mr. KING) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2888. Mr. LEE (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2889. Mr. LEE (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2890. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2891. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2892. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2893. Mr. BROWN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2894. Mr. BROWN (for himself, Mr. CASEY, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2895. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2896. Mr. PORTMAN (for himself and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2897. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2898. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2899. Mr. BENNET (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2900. Mr. CARDIN (for himself, Mr. HATCH, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, supra; which was ordered to lie on the table.

SA 2901. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 5515, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2860. Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

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

SEC. 729. REPORT ON SUCCESSFUL SUICIDE PREVENTION PRACTICES AND INITIATIVES OF DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on successful suicide prevention practices and initiatives of the Department of Defense.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A complete list of all current and planned mental health and suicide prevention programs available to members of the Armed Forces, whether provided by the Department or through community partnerships.

(2) For each program listed under paragraph (1), the annual funding and number of members of the Armed Forces served.

(3) The number of members of the Armed Forces receiving treatment in each such program who ultimately commit suicide.

(4) The metrics used by the Department to track the efficacy of mental health programs of the Department, including an assessment of how those metrics are tracked longitudinally.

(5) Recommendations for how the Department of Defense can work more cooperatively with the Department of Veterans Affairs and mental health organizations in the private sector to serve the unique needs of members of the reserve components of the Armed Forces.

(6) Recommendations for additional metrics for the Department of Defense to use to better measure the efficacy of each mental health program of the Department.

(7) Recommendations for how the Department may better partner with local communities to ensure access to mental health and suicide prevention programs in rural areas.

SA 2861. Mr. GRAHAM submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

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

SEC. 3119. EXTENSION OF LIMITATIONS ON IMPORTATION OF URANIUM FROM RUSSIAN FEDERATION.

Section 3112A(c) of the USEC Privatization Act (42 U.S.C. 2297h –10a(c)) is amended—

(1) in paragraph (2)(A)—

(A) in clause (vi), by striking ''; and'' and inserting a semicolon;

(B) in clause (vii), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(viii) in calendar year 2021, 463,620 kilograms;

''(ix) in calendar year 2022, 456,930 kilograms;

''(x) in calendar year 2023, 449,810 kilograms;

''(xi) in calendar year 2024, 435,933 kilograms;

''(xii) in calendar year 2025, 421,659 kilograms;

''(xiii) in calendar year 2026, 421,659 kilograms;

''(xiv) in calendar year 2027, 394,072 kilograms;

''(xv) in calendar year 2028, 386,951 kilograms;

''(xvi) in calendar year 2029, 386,951 kilograms; and

''(xvii) in calendar year 2030, 375,791 kilograms.'';

(2) in paragraph (3)—

(A) in subparagraph (A), by striking the semicolon and inserting ''; or'';

(B) in subparagraph (B), by striking the semicolon and inserting a period; and

(C) by striking subparagraph (C);

(3) in paragraph (5)(A), by striking ''reference data'' and all that follows through ''2019'' and inserting the following: ''lower scenario data in the document of the World Nuclear Association entitled 'Nuclear Fuel Report: Global Scenarios for Demand and Supply Availability 2017-2035'. In each of calendar years 2022, 2025, and 2028''; and

(4) in paragraph (9), by striking ''December 31, 2020'' and inserting ''December 31, 2030''.

SA 2862. Mr. MORAN (for himself, Mr. ROBERTS, and Ms. CORTEZ MASTO) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

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

SEC. 323. REPORT ON POLICIES TO DEFINE AUTHORITIES OF THE ADVANCED TURBINE ENGINE ARMY MAINTENANCE (ATEAM) OF THE ARMY NATIONAL GUARD TO MEET REQUIREMENTS AND OBLIGATIONS.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the establishment of policies to clearly define Advanced Turbine Engine Army Maintenance (ATEAM) authorities to meet requirements and obligations to maintain engines, transmissions, and Full Up Power Packs (FUPP) for the Army National Guard, Army Materiel Command (AMC), and foreign military partners. The Secretary shall provide a briefing on the contents of the report not later than 45 days after the date of the enactment of this Act.

SA 2863. Mr. ROUNDS submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. ____. PILOT PROGRAM ON PROMOTING THE COMMERCIALIZATION OF DUAL-USE TECHNOLOGY.

(a) IN GENERAL.—The Secretary of Defense shall conduct a pilot program to assess the feasibility and advisability of promoting the commercialization of dual-use technology, with a focus on priority defense technology areas that attract funding from venture capital firms in the United States.

(b) LOCATIONS.—The Secretary shall carry out the pilot program at one or more leading universities that have expertise in—

(1) defense missions;

(2) commercialization of technology; and

(3) venture capital partnerships.

(c) SCALABILITY.—The Secretary shall ensure that the pilot program is designed to be scalable.

(d) SEMIANNUAL REPORTS.—Not less frequently than once every six months for the first two years of the pilot program, the Secretary shall brief the congressional defense committees on the progress of the Secretary in carrying out the pilot program

(e) AUTHORITIES.—In carrying out this section, the Secretary may use the following authorities:

(1) Section 1599g of title 10 of the United States Code, relating to public-private talent exchanges.

(2) Section 2368 of such title, relating to Centers for Science, Technology, and Engineering Partnerships.

(3) Section 2374a of such title, relating to prizes for advanced technology achievements.

(4) Section 2474 of such title, relating to Centers of Industrial and Technical Excellence.

(5) Section 2521 of such title, relating to the Manufacturing Technology Program.

(6) Section 225 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91).

(7) Section 1711 of such Act, relating to a pilot program on strengthening manufacturing in the defense industrial base.

(8) Section 1603 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 50 U.S.C. 2359), relating to the Proof of Concept Commercialization Pilot Program.

(9) Section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a) and section 6305 of title 31, United States Code, relating to cooperative research and development agreements.

(f) FUNDING.—

(1) ADDITIONAL FUNDING.—The amount authorized to be appropriated for fiscal year 2019 by section 201, National Innovation Activities (PE 8888/line 300), for research, development, test, and evaluation is hereby increased by $5,000,000, with the amount of the increase to be available for commercialization of dual-use technology.

(2) AVAILABILITY.—The amount available under paragraph (1) shall be available to carry out the pilot program required by subsection (a).

(3) OFFSET.—The amount authorized to be appropriated for fiscal year 2019 by this Act for Army Training Information Systems (PE 0605013A) for Army Information Technology Development, as specified in the funding table in section 4201, is hereby decreased by $5,000,000.

SA 2864. Mr. ROUNDS submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

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

SEC. 1037. REPEAL OF DUPLICATIVE AUTHORITY ON AIRLIFT SERVICE BY AIRCRAFT ELIGIBLE TO PARTICIPATE IN THE CIVIL RESERVE AIR FLEET.

(a) REPEAL.—Section 41106 of title 49, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 411 of that title is amended by striking the item relating to section 41106.

SA 2865. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

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

SEC. ____. SENSE OF THE SENATE ON DUAL-USE CERAMICS CAPABILITIES AND PRODUCTION TECHNOLOGIES.

It is the Sense of the Senate that the Department of Defense should continue to leverage advancements in dual-use ceramics capabilities and production technologies, which have demonstrated applicability to critical military uses, including personnel protection and advanced vehicle development.

SA 2866. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

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

SEC. 12___. CLARIFICATION OF AUTHORITY FOR AND EXPANSION OF MEMBERSHIP OF THE INTERNATIONAL SPECIAL TRAINING CENTRE.

(a) AUTHORITY.—Subchapter V of chapter 16 of title 10, United States Code, as amended by section 1207, is further amended by adding at the end the follow new section:

''§ 352. Authority to participate in the International Special Training Centre.

''(a) PARTICIPATION AUTHORIZED.—The Secretary of Defense may, with the concurrence of the Secretary of State, authorize participation in the International Special Training Centre for purposes of—

''(1) conducting additional and advanced training for special operations forces and similar units; and

''(2) collecting, processing, and providing information in consideration of multinational military missions that may be useful to nations for further development of operational and tactical principles and doctrines, concepts, training, and equipment for special operations and similar units.

''(b) MEMORANDUM OF UNDERSTANDING.—(1) Participation in the International Special Training Centre under subsection (a) shall be in accordance with the terms of one or more memoranda of understanding entered into by the Secretary of Defense, with the concurrence of the Secretary of State, and the foreign nation or nations concerned.

''(2) If Department of Defense facilities, equipment, or funds are used to support the International Special Training Centre under subsection (a), the memoranda of understanding under paragraph (1) shall provide details of any cost-sharing arrangement or other funding arrangement.

''(c) AVAILABILITY OF APPROPRIATED FUNDS.—(1) Funds appropriated to the Department of Defense for operation and maintenance are available as follows:

''(A) To pay the United States share of the operating expenses of the International Special Training Centre in which the United States participates under this section.

''(B) Except as provided in paragraph (2), to pay the costs of participation in the International Special Training Centre under this section.

''(2) No funds may be used under this section to fund the pay or salaries of members of the United States Armed Forces and Department of Defense civilian personnel who participate in the International Special Training Centre under this section.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter V of chapter 16 of such title is amended by adding at the end the following new item:

''352. Authority to participate in the International Special Training Centre.''.

SA 2867. Mr. SASSE (for himself and Mr. TOOMEY) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

On page 847, line 2, insert after ''infrastructure.'' the following: ''The Committee shall not consider the social or economic effects of a transaction, except in cases in which such effects pose an identifiable risk to the national security of the United States.''.

SA 2868. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

On page 771, between lines 19 and 20, insert the following:

(4) OPEN SOURCE SOFTWARE.—The term ''open source software'' means software for which the human-readable source code is available for use, study, re-use, modification, enhancement, and re-distribution by the users of that software.

On page 772, line 9, strike ''force protection or''.

On page 773, lines 11 and 12, strike ''a weapons system, or computer antivirus'' and insert ''or weapons system''.

On page 773, lines 15 and 16, strike ''product, system, or service custom-developed'' and insert ''noncommercial product, system, or service developed''.

On page 773, line 19, strike ''product, system, or service custom-developed'' and insert ''noncommercial product, system, or service developed''.

On page 774, line 18, insert ''noncommercial'' before ''information''.

On page 774, line 20, strike ''custom-developed'' and insert ''developed specifically''.

On page 776, between lines 2 and 3, insert the following:

(d) LIMITATIONS.—The requirements of this section shall not apply to the following:

(1) Code that is not part of a National Security System.

(2) The code of open source software.

SA 2869. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following: ''Nothing in this Act shall be construed as an authorization for use of the United States Armed Forces.''.

SA 2870. Mr. PERDUE submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

At the end of division E, add the following:

TITLE LXXXVI—AUTHORITY OF SECRETARY OF COMMERCE UNDER EXPORT CONTROL LAWS

SEC. 7601. AUTHORITY OF SECRETARY OF COMMERCE UNDER EXPORT CONTROLS LAWS.

Notwithstanding section 6702, nothing in this Act may be construed to limit the authority of the Secretary of Commerce under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the Export Administration Act of 1979 (50 U.S.C. 4601 et seq.) (as continued in effect pursuant to the International Emergency Economic Powers Act), or the Export Administration Regulations under subchapter C of chapter VII of title 15, Code of Federal Regulations.

SA 2871. Mr. YOUNG submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

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

SEC. 1037. SEMI-ANNUAL BRIEFINGS ON THE CONVENTIONAL PROMPT STRIKE PROGRAM.

(a) IN GENERAL.—Not later than October 1, 2018, and on a semi-annual basis thereafter through October 1, 2022, the Under Secretary of Defense for Acquisition and Sustainment shall provide to the congressional defense committees a briefing on the Conventional Prompt Strike program.

(b) ELEMENTS.—Each briefing on the Conventional Prompt Strike program under subsection (a) shall include the following:

(1) A current overview of the schedule for the program.

(2) A current assessment of the status of the program with respect to each of the following:

(A) Mobility.

(B) Survivability.

(C) Lethality,

(D) Ability to hold high value, time sensitive, highly defended targets at risk.

(E) Options, with cost estimates, for accelerating delivery of initial capability.

(3) Any currently proposed change in the service leadership of the program, including a detailed justification of any such change.

(c) LIMITATION ON CHANGE IN SERVICE LEADERSHIP.—No funds available to the Department of Defense may be used to change the service leadership of the Conventional Prompt Strike program until a briefing on each element in subsection (b), including the element in paragraph (3) of that subsection on a proposed change in the service leadership of the program, has been provided to the congressional defense committees.

SA 2872. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

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

SEC. 1271. MEASURES TO IMPROVE DEFENSE PARTNERSHIPS.

(a) DELAY OF IMPOSITION OF CERTAIN SANCTIONS RELATING TO THE RUSSIAN FEDERATION FOR DEFENSE COOPERATION WITH UNITED STATES.—Section 231(c) of the Countering Russian Influence in Europe and Eurasia Act of 2017 (22 U.S.C. 9525(c)) is amended to read as follows:

''(c) DELAY OF IMPOSITION OF SANCTIONS.—

''(1) IN GENERAL.—The President may delay the imposition of sanctions under subsection (a) with respect to a person if, not less frequently than every 180 days while the delay is in effect—

''(A) the President certifies to the appropriate congressional committees that the

person is substantially reducing the number of significant transactions described in subsection (a) in which that person engages; or

''(B) except as provided in paragraph (2)—

''(i) the President certifies to the appropriate congressional committees that the government with primary jurisdiction over the person is substantially improving that government's defense cooperation with the United States; and

''(ii) the Secretary of Defense and the Secretary of State jointly certify to the appropriate congressional committees, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives, that the significant transaction described in subsection (a) for which sanctions would otherwise be imposed does not—

''(I) endanger the integrity of any multilateral alliance of which the United States is a part;

''(II) adversely affect ongoing operations of the Armed Forces of the United States, including coalition operations in which the Armed Forces of the United States participate; or

''(III) significantly reduce the interoperability of the Armed Forces of the United States with the military forces of the country with primary jurisdiction over the person.

''(2) EXCEPTIONS FOR STATE SPONSORS OF TERRORISM.—The President may not delay the imposition of sanctions under paragraph (1)(B) with respect to a person if the government with primary jurisdiction over that person has been determined by the Secretary of State to be a government that has repeatedly provided support for acts of international terrorism for purposes of—

''(A) section 6(j)(1)(A) of the Export Administration Act of 1979 (50 U.S.C. 4605(j)(1)(A)) (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.));

''(B) section 620A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a));

''(C) section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)); or

''(D) any other provision of law.''.

(b) SENSE OF CONGRESS ON LICENSE EXCEPTION STRATEGIC TRADE AUTHORIZATION FOR INDIA.—It is the sense of Congress that the United States should expeditiously grant India status under the License Exception Strategic Trade Authorization under section 740.20 of title 15, Code of Federal Regulations, commensurate with the status of India as a major defense partner of the United States.

SA 2873. Mr. SULLIVAN (for himself and Mr. GARDNER) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

Strike section 1249 and insert the following:

SEC. 1249. LIMITATION ON USE OF FUNDS FOR REMOVAL OF UNITED STATES MILITARY FORCES FROM KOREAN PENINSULA.

(a) FINDINGS.—The Senate makes the following findings:

(1) On June 25, 1950, the Democratic People's Republic of Korea (DPRK), under the rule of Kim Il-sung, the grandfather of Kim Jong-un, launched a surprise attack against forces from the Republic of Korea (South Korea) and small contingent of United States forces, thus beginning the Korean War.

(2) In June and July of 1950, the United Nations Security Council adopted Resolutions 82, 83, and 84 calling for the Democratic People's Republic of Korea to cease hostilities and withdraw, to recommend that United Nations member nations provide forces to repel the Democratic People's Republic of Korea attack, and stating any forces provided should be unified under the command of the United States, respectively.

(3) Fighting as part of a 1,000,000-strong, 22-nation United Nations force, 36,574 members of the United States Armed Forces and 137,899 members of the South Korean military lost their lives during the three years of armed hostilities and brutal conflict in the Korean War.

(4) On July 27, 1953, the Democratic People's Republic of Korea, Chinese People's Volunteers, and the United Nations signed an armistice agreement ceasing all hostilities in Korea and establishing the Demilitarized Zone (DMZ).

(5) Since 1953, lawfully-deployed United States and United Nations forces have remained alongside their South Korean counterparts, continuing to protect and defend South Korea and deter aggression from the Democratic People's Republic of Korea.

(6) As a lasting testament the blood and treasure lost during the Korean War and the strong and unwavering alliance built from the ashes of the conflict, the Korean War Memorial in Washington, District of Columbia, and the War Memorial of Korea in Seoul, South Korea, prominently display the following inscription: ''Our Nation honors her Sons and Daughters who answered the call to defend a Country they never knew and a people they never met.''.

(7) The United States maintains a robust, well-trained, and ready force of approximately 28,500 members of the Armed Forces in South Korea, and the presence of the members of the Armed Forces in South Korea demonstrates the continued resolve and support of the United States for the enduring United States-South Korean Alliance.

(8) On December 22, 2017, Kim Jong-un stated, ''The rapid development of [North Korea's] nuclear force is now exerting big influence on the world political structure and strategic environment.''.

(9) On January 1, 2018, Kim Jong-un stated ''The entire United States is within range of our nuclear weapons, and a nuclear button is always on my desk. This is reality, not a threat. This year we should focus on mass producing nuclear warheads and ballistic missiles for operational deployment.''.

(10) Despite 11 standalone United Nations Security Council resolutions against the nuclear and ballistic missile programs of the Democratic People's Republic of Korea, 8 of which passed during the rule of Kim Jong-un, the Democratic People's Republic of Korea has continued to illegally and unlawfully pursue a long-range, nuclear capability meant to hold hostage the United States and threaten the security of the neighbors of the Democratic People's Republic of Korea.

(11) The 2017 National Security Strategy (NSS) states—

(A) ''Our alliance and friendship with South Korea, forged by the trials of history, is stronger than ever.'';

(B) ''Allies and partners magnify our power . . . [and] together with our allies, partners, and aspiring partners, the United States will pursue cooperation with reciprocity.''; and

(C) with respect to priority actions in the Indo-Pacific region, ''We will redouble our commitment to established alliances and partnerships, while expanding and deepening relationships with new partners that share respect for sovereignty . . . and the rule of law.''.

(12) Secretary of Defense James Mattis stated, ''Winston Churchill noted that the only thing harder than fighting with allies is fighting without them. History proves that we are stronger when we stand united with others. Accordingly, our military will be designed, trained, and ready to fight alongside allies.''.

(13) The 2018 National Defense Strategy (NDS) states, ''Mutually beneficial alliances and partnerships are crucial to our strategy, providing a durable, asymmetric strategic advantage that no competitor or rival can match . . . [and the United States] will strengthen and evolve our alliances and partnerships into an extended network capable of deterring or decisively acting to meet the shared challenges of our time.''.

(14) The unclassified summary of 2018 NDS, an 11-page document, mentions the term ''allies'' or ''alliances'' over 50 times.

(15) The 2018 NDS states, ''China is a strategic competitor using predatory economics to intimidate its neighbors . . . [and] it is increasingly clear that China. . .want[s] to shape a world consistent with their authoritarian model—gaining veto authority over other nations' economic, diplomatic, and security decisions.''.

(16) Foreign policy experts have long contended that the first priority of the People's Republic of China on the Korean Peninsula is to ensure that the Democratic People's Republic of Korea remains a buffer between China and the democratic South Korea and the United States forces deployed on the Korean Peninsula.

(17) China continues to provide the Democratic People's Republic of Korea with most of its food and energy supplies and, until recently, accounted for approximately 90 percent of the total trade volume of the Democratic People's Republic of Korea.

(18) On June 30, 2017, President Donald Trump stated, ''Our goal is peace, stability and prosperity for the region. But the United States will defend itself, always will defend itself, always, and we will always defend our allies. As part of that commitment, we are working together to ensure fair burden sharing and support of the United States military presence in Republic of Korea.''.

(19) South Korea already pays for approximately 50 percent of the total nonpersonal costs of the 28,500 United States members of the Armed Forces on the Korean Peninsula, amounting to $887,500,000 in 2018.

(20) President Moon Jae-in has committed to increasing the defense spending of South Korea during his term from the current level 2.4 percent of the gross domestic product to 2.9 percent of the gross domestic product.

(21) News reports published in early May 2018 have stated that President Trump asked the Secretary of Defense to provide him with options for removing United States troops from the Korean Peninsula.

(22) National Security Advisor John Bolton responded, ''The President has not asked the Pentagon to provide options for reducing American forces stationed in South Korea.''.

(23) A spokesman for the Secretary stated, ''The president has not asked the Pentagon to provide options for reducing American forces stationed in South Korea. The Department of Defense's mission in South Korea remains the same, and our force posture has not changed. The Department of Defense remains committed to supporting the maximum pressure campaign, developing and maintaining military options for the President, and reinforcing our ironclad security commitment with our allies. We all remain

committed to complete, verifiable, and irreversible denuclearization of the Korean Peninsula.''.

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

(1) South Korea is a close friend and ally of the United States, and the United States-South Korea alliance is the linchpin of peace and security in the Indo-Pacific region;

(2) the presence of United States military forces on the Korean Peninsula and across the Indo-Pacific region continues to play a critical role in safeguarding the peaceful and stable rules-based international order that benefits all countries;

(3) South Korea has contributed heavily to its own defense and to the defense of the United States Armed Forces in South Korea, including by providing $10,000,000,000 of the $10,800,000,0000 Camp Humphreys project, which is 93 percent of the funding, to build and relocate United States military forces to a new base in South Korea;

(4) United States military forces, pursuant to international law, are lawfully deployed on the Korean Peninsula;

(5) the nuclear and ballistic missile programs of the Democratic People's Republic of Korea are clear and consistent violations of international law;

(6) the long-stated strategic objective of authoritarian states such as the People's Republic of China, the Russian Federation, and the Democratic People's Republic of Korea has been the significant removal of United States military forces from the Korean Peninsula;

(7) the maximum pressure campaign of the Trump Administration, including an increase in economic sanctions and diplomatic measures with United States allies and regional partners, has worked to bring Kim Jong-un to the negotiation table; and

(8) the significant removal of United States military forces from the Korean Peninsula is a non-negotiable item as it relates to the complete, verifiable, and irreversible denuclearization of the Democratic People's Republic of Korea.

(c) LIMITATION.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), none of the funds authorized to be appropriated for fiscal year 2019 for the Department of Defense may be obligated or expended during the period beginning on the date of the enactment of this Act and ending on December 31, 2019, for any of the following purposes:

(A) To significantly reduce the size or capability of United States military forces on or around the Korean Peninsula.

(B) To decrease the overall military balance of force on or around the Korean Peninsula.

(C) To close or abandon any United States military installation on or around the Korean Peninsula.

(2) EXCEPTION.—Paragraph (1) shall not apply to the normal and regular flow of United States military forces for deployments in the Indo-Pacific region.

(3) WAIVER.—

(A) IN GENERAL.—The Secretary of Defense may waive paragraph (1) if the Secretary submits to the congressional defense committees a certification that a waiver is in the national security interests of the United States.

(B) ELEMENT.—The certification for a waiver under subparagraph (A) shall include a written justification for the waiver.

(4) SUNSET.—The limitation under paragraph (1) shall terminate on the date on which the Secretary submits to the congressional defense committees a certification that the Democratic People's Republic of Korea has carried out complete, verifiable, and irreversible denuclearization.

SA 2874. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 2514 submitted by Mr. COTTON (for himself, Mr. VAN HOLLEN, Mr. SCHUMER, Mr. RUBIO, Mr. BLUMENTHAL, Ms. COLLINS, and Mr. NELSON) and intended to be proposed to the amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

On page 5 of the amendment, between lines 2 and 3, insert the following:

(f) PROHIBITION ON USE OF FUNDS.—Notwithstanding any other provision of this Act or any other provision of law, none of the funds authorized to be appropriated or otherwise made available for fiscal year 2019 for the Department of Defense may be obligated or expended for the operation, maintenance, sustainment, or procurement of covered telecommunications equipment or services.

SA 2875. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

At the end of subtitle D of title I, add the following:

SEC. ___. SENSE OF CONGRESS ON CONVERSION OF F–22 AIRCRAFT.

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

(1) Accelerating the modernization upgrade of F–22A Block 20 training and test aircraft would significantly increase the total available inventory of combat-capable F–22A Block 35 fighter aircraft.

(2) Converting 34 F–22A Block 20 aircraft to a Block 35 configuration would drastically improve the readiness and health of the entire F–22A fleet and increase flexibility to manage availability of the combat-coded Block 35 fleet, which is accumulating more operational flight hours than initially anticipated.

(3) Making the conversions described in paragraph (2) would be a cost-effective way to increase the F–22's combat-capable force by 27 percent.

(4) If the conversion effort is not included in future base budgets, it would be advisable for the Department of Defense to support the effort as an unfunded priority.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of the Air Force should accelerate modernization of the F–22 Block 20 training and test aircraft as quickly as possible.

SA 2876. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. BARRING CITIZENS OF IRAN FROM SEEKING EDUCATION RELATING TO THE NUCLEAR AND ENERGY SECTORS.

(a) IN GENERAL.—Section 501(a) of the Iran Threat Reduction and Syrian Human Rights Act of 2012 (22 U.S.C. 8771(a)) is amended to read as follows:

''(a) IN GENERAL.—

''(1) VISA DENIAL.—The Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, any alien who is a citizen of Iran if the Secretary of State or the Secretary of Homeland Security determines that such alien seeks to enter the United States to participate in coursework at an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) to prepare the alien for a career in—

''(A) the energy sector of Iran; or

''(B) nuclear science, nuclear engineering, or a related field in Iran.

''(2) STATUS TERMINATION.—The Secretary of Homeland Security shall terminate the lawful immigration status and work authorization, and revoke any petition of, any alien who is a citizen of Iran if the Secretary of Homeland Security determines such alien has changed his or her program or course of study after admission to the United States to a field that would prepare the alien for a career in the energy sector, nuclear science, nuclear engineering, or a related field in Iran. Any change, or attempted change, in a course of study prohibited under this paragraph constitutes a failure to maintain nonimmigrant status under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).''.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply with respect to—

(1) all visa applications filed on or after the date of the enactment of this Act; and

(2) the status of any alien who is a citizen of Iran who has been admitted as, or has changed status to, a nonimmigrant academic, vocational, or exchange student under subparagraph (F), (J), or (M) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)), before, on, or after the date of the enactment of this Act.

SA 2877. Mr. BURR (for himself, Mr. WARNER, Mr. DURBIN, and Mr. SHELBY) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

Strike section 1002.

SA 2878. Mr. BURR (for himself and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for

himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

Beginning on page 713, strike line 18 and all that follows through page 717, line 10.

SA 2879. Mr. BURR (for himself and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

On page 722, line 17, insert '', in coordination with the Director of National Intelligence and the heads of such elements of the intelligence community as the Director determines appropriate,'' after ''may''.

SA 2880. Mr. BURR (for himself and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

Beginning on page 726, strike line 2 and all that follows through page 729, line 10, and insert the following:

the United States Cyber Command and in coordination with the Director of National Intelligence and the heads of such elements of the intelligence community as the Director determines appropriate, to take appropriate and proportional action in cyberspace to disrupt, defeat, and deter such attacks under the authority and policy of the Secretary of Defense to conduct cyber operations and information operations as traditional military activities.

(2) NOTIFICATION AND REPORTING.—

(A) NOTIFICATION OF OPERATIONS.—In exercising the authority provided in paragraph (1), the Secretary shall provide notices to the congressional defense committees in accordance with section 130(f) of title 10, United States Code.

(B) QUARTERLY REPORTS BY COMMANDER OF THE UNITED STATES CYBER COMMAND.—

(i) IN GENERAL.—In any fiscal year in which the Commander of the United States Cyber Command carries out an action under paragraph (1), the Secretary of Defense shall, not less frequently than quarterly, submit to the congressional defense committees a report on the actions of the Commander under such paragraph in such fiscal year.

(ii) MANNER OF REPORTING.—Reports submitted under clause (i) shall be submitted in a manner that is consistent with the recurring quarterly report required by section 484 of title 10, United States Code.

(b) SURVEILLANCE.—

(1) IN GENERAL.—The Secretary of Defense, in coordination with the Director of National Intelligence and the heads of such elements of the intelligence community as the Director determines appropriate and acting through the Commander of the United States Cyber Command and the cyber mission forces of such command, may conduct surveillance in networks outside the United States of personnel and organizations engaged at the behest or in support of the Russian Federation in—

(A) stealing and releasing confidential information from United States persons or supporting organizations who are campaigning for public office;

(B) generating and planting information and narratives, including the purchase of advertisements, in social and other media intended to mislead, sharpen social and political conflicts, or otherwise manipulate perceptions and opinions of the people of the United States;

(C) creating networks of subverted computers and associated false accounts on social media platforms for the purpose of spreading and amplifying the impact of information and narratives intended to mislead, sharpen social and political conflicts, or otherwise manipulate perceptions and opinions of the people of the United States; and

(D) developing or using cyber capabilities—

(i) to disable, disrupt, or destroy critical infrastructure of the United States; or

(ii) to cause—

(I) casualties among United States persons or persons of allies of the United States;

(II) significant damage to private or public property;

(III) significant economic disruption;

(IV) an effect, whether individually or in aggregate, comparable to that of an armed attack or one that imperils a vital national security interest of the United States; or

(V) significant disruption of the normal functioning of United States democratic society or government, including attacks against or incidents involving critical infrastructure that could damage systems used to provide key services to the public or government.

(2) PRIVATE SECTOR COOPERATION.—

(A) IN GENERAL.—The Secretary shall, in coordination with the Director of National Intelligence and the heads of such elements of the intelligence community as the Director determines appropriate,

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SA 2881. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

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

SEC. 729. REPORT ON PEER SUPPORT PROGRAMS OF THE DEPARTMENT OF DEFENSE.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report that—

(1) makes recommendations on the feasibility and advisability of renewing the peer support program of the Department of Defense known as the Vets4Warriors program, including an assessment, through a public process established by the Secretary, of whether members of the Armed Forces will receive adequate mental health care and resources in the absence of such program;

(2) evaluates the effectiveness of peer-to-peer counseling in assisting members of the Armed Forces and their families;

(3) assesses the success of current peer support programs of the Department; and

(4) makes recommendations for serving members of the Armed Forces in need of peer support who are not currently using peer support programs of the Department.

SA 2882. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

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

SEC. 520A. PILOT PROGRAM ON ACCESSION AS AIR FORCE OFFICERS OF CANDIDATES WHO ARE DEAF OR HAVE OTHER AUDITORY IMPAIRMENTS.

(a) PILOT PROGRAM REQUIRED.—Beginning not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall carry out a pilot program to assess the feasibility and advisability of enrolling individuals who are deaf or have other auditory impairments to access as officers of the Air Force.

(b) CANDIDATES.—

(1) NUMBER OF CANDIDATES.—The total number of individuals who are deaf or have other auditory impairments who may participate in the pilot program shall be not fewer than 20 and not more than 24 individuals.

(2) MIX AND RANGE OF DEAFNESS AND AUDITORY IMPAIRMENTS.—The individuals who participate in the pilot program shall include individuals who are deaf and individuals who have other auditory impairments, including those with cochlear implants.

(3) QUALIFICATIONS FOR ACCESSION.—Any individual who is chosen to participate in the pilot program shall meet all essential qualifications for accession as an officer in the Air Force, other than those related to being deaf or having an auditory impairment.

(c) SELECTION OF PARTICIPANTS.—

(1) IN GENERAL.—The Secretary of the Air Force shall—

(A) publicize the pilot program nationally, including to individuals who are deaf or have other auditory impairments and would be otherwise qualified for officer training;

(B) create a process whereby interested individuals can apply for the pilot program; and

(C) select the participants for the pilot program, from among a pool of applicants, based on the criteria in subsection (b).

(2) NO PRIOR SERVICE AS AIR FORCE OFFICERS.—Participants selected for the pilot n program shall be individuals who have not previously served as officers in the Air Force.

(d) BASIC OFFICER TRAINING.—

(1) IN GENERAL.—The participants in the pilot n program shall undergo, at the election of the Secretary of the Air Force, the Basic Officer Training Course or the Commissioned Officer Training course at Maxwell Air Force Base, Alabama.

(2) NUMBER OF PARTICIPANTS.—Once individuals begin participating in the pilot program, each Basic Officer Training course or commissioned Officer Training course at Maxwell Air Force Base, Alabama, shall include not fewer than 4 or more than 6, participants in the pilot program until all participants have completed such training.

(3) AUXILIARY AIDS AND SERVICES.—The Secretary of Defense shall ensure that participants in the pilot program have the necessary auxiliary aids and services, as defined by the Americans with Disabilities Act, in order to fully participate in the pilot program.

(e) COORDINATION.—

(1) SPECIAL ADVISOR.—The Secretary of the Air Force shall designate a special advisor to the pilot program to act as a resource for participants in the pilot program, as well as a liaison between participants in the pilot program and those providing the office training.

(2) QUALIFICATIONS.—The special advisor shall be a member of the Armed Forces on active duty—

(A) who—

(i) if a commissioned officer, shall be grade 0–3 or higher; or

(ii) if an enlisted member, shall be in grade E–5 or higher; and

(B) who is knowledgeable about issues involving, and accommodations for, individuals who are deaf or have other auditory impairments.

(3) RESPONSIBILITIES.—The special advisor shall be responsible for facilitating the officer training for participants in the pilot program, intervening and resolving issues and accommodations during the training, and such duties as the Secretary of the Air Force may assign to facilitate the success of the pilot program and participants.

(f) REPORT.—Not later than two years after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the appropriate committees of Congress a report on the pilot program. The report shall include the following:

(1) A description of the pilot program and the participants in the pilot program.

(2) The outcomes of the pilot program, including—

(A) the number of participants in the pilot program that successfully completed the Basic Officer Training Course or the Commissioned Officer Training course;

(B) the number of participants in the pilot program that were recommended for continued military service;

(C) the number of participants in the pilot program that did not successfully complete the Basic Officer Training Course or the Commissioned Officer Training course, and reasons participants did not successfully complete their training;

(D) accommodations and adaptations used to promote successful completion of the training;

(E) the issues that were encountered during the pilot program; and

(F) such recommendations for modifications to the pilot n program as the Secretary considers appropriate to increase further inclusion of individuals who are deaf or have other auditory disabilities serving as officers in the Air Force or other Armed Forces.

(3) Such recommendations for legislative or administrative action as the Secretary considers appropriate in light of the pilot program.

(g) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) The Committee on Armed Services, the Committee on Health, Education, Labor, and Pensions, and the Committee on Appropriations of the Senate; and

(2) The Committee on Armed Services, the Committee on Education and Workforce, and the Committee on Appropriations of the House of Representatives.

SA 2883. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

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

SEC. 1126. LOCALITY PAY EQUITY.

(a) LIMITING THE NUMBER OF LOCAL WAGE AREAS DEFINED WITHIN A GENERAL SCHEDULE PAY LOCALITY.—

(1) LOCAL WAGE AREA LIMITATION.—Section 5343(a) of title 5, United States Code, is amended—

(A) in paragraph (1)(B)(i), by striking ''(but such'' and all that follows through ''are employed)'';

(B) in paragraph (4), by striking ''and'' after the semicolon;

(C) in paragraph (5), by striking the period after ''Islands'' and inserting ''; and''; and

(D) by adding at the end the following:

''(6) the Office of Personnel Management shall define not more than 1 local wage area within a pay locality, except that this paragraph shall not apply to the pay locality designated as 'Rest of United States'.''.

(2) GENERAL SCHEDULE PAY LOCALITY DEFINED.—Section 5342(a) of title 5, United States Code, is amended—

(A) in paragraph (2)(C), by striking ''and'' after the semicolon;

(B) in paragraph (3), by striking the period after ''employee'' and inserting ''; and''; and

(C) by adding at the end the following:

''(4) 'pay locality' has the meaning given that term under section 5302.''.

(b) REGULATIONS.—The Director of the Office of Personnel Management shall prescribe any regulations necessary to carry out the purpose of this section, including regulations to ensure that the enactment of this section shall not have the effect of reducing any rate of basic pay payable to any individual who is serving as a prevailing rate employee (as defined under section 5342(a)(2) of title 5, United States Code).

(c) APPLICABILITY.—The amendments made by this section shall apply on and after the first day of the first full pay period beginning at least 180 days after the date of enactment of this Act.

SA 2884. Mr. REED submitted an amendment intended to be proposed to amendment SA 2276 submitted by Mr. BOOZMAN (for himself, Mr. INHOFE, Mrs. CAPITO, and Mr. ENZI) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

At the end, add the following:

(d) DESIGNATION OF STRATEGIC DEFENSE FELLOWS PROGRAM AS JOHN S. MCCAIN STRATEGIC DEFENSE FELLOWS PROGRAM.—The Strategic Defense Fellows Program required by section 937 is hereby designated as the ''John S. McCain Strategic Defense Fellows Program''.

SA 2885. Mr. REED submitted an amendment intended to be proposed to amendment SA 2276 submitted by Mr. BOOZMAN (for himself, Mr. INHOFE, Mrs. CAPITO, and Mr. ENZI) and intended to be proposed to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 1254A. INEFFECTIVENESS OF SECTION 937.

Section 937, relating to a Strategic Defense Fellows Program for the Department of Defense, shall have no force or effect.

SEC. 1254B. JOHN S. MCCAIN STRATEGIC DEFENSE FELLOWS PROGRAM.

(a) FELLOWSHIP PROGRAM.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall establish within the Department of Defense a civilian fellowship program designed to provide leadership development and the commencement of a career track toward senior leadership in the Department.

(2) DESIGNATION.—The fellowship program shall be known as the ''John S. McCain Strategic Defense Fellows Program'' (in this section referred to as the ''fellows program'').

(b) ELIGIBILITY.—An individual is eligible for participation in the fellows program if the individual—

(1) is a citizen of the United States or a lawful permanent resident of the United States in the year in which the individual applies for participation in the fellows program; and

(2) either—

(A) possesses a graduate degree from an accredited institution of higher education in the United States that was awarded not later than two years before the date of the acceptance of the individual into the fellows program; or

(B) will be awarded a graduate degree from an accredited institution of higher education in the United States not later than six months after the date of the acceptance of the individual into the fellows program.

(c) APPLICATION.—

(1) APPLICATION REQUIRED.—Each individual seeking to participate in the fellows program shall submit to the Secretary an application therefor at such time and in such manner as the Secretary shall specify.

(2) ELEMENTS.—Each application of an individual under this subsection shall include the following:

(A) Transcripts of educational achievement at the undergraduate and graduate level.

(B) A resume.

(C) Proof of citizenship or lawful permanent residence.

(D) An endorsement from the applicant's graduate institution of higher education.

(E) An academic writing sample.

(F) Letters of recommendation addressing the applicant's character, academic ability, and any extracurricular activities.

(G) A personal statement by the applicant explaining career areas of interest and motivations for service in the Department.

(H) Such other information as the Secretary considers appropriate.

(d) SELECTION.—

(1) IN GENERAL.—Each year, the Secretary shall select participants in the fellows program from among applicants for the fellows program for such year who qualify for participation in the fellows program based on character, commitment to public service, academic achievement, extracurricular activities, and such other qualifications for participation in the fellows program as the Secretary considers appropriate.

(2) NUMBER.—The number of individuals selected to participate in the fellows program in any year may not exceed the numbers as follows:

(A) Ten individuals from each geographic region of the United States as follows:

(i) The Northeast.

(ii) The Southeast.

(iii) The Midwest.

(iv) The Southwest.

(v) The West.

(B) Ten additional individuals.

(3) BACKGROUND INVESTIGATION.—An individual selected to participate in the fellows program may not participate in the program unless the individual successfully undergoes a background investigation applicable to the position to which the individual will be assigned under the fellows program and otherwise meets such requirements applicable to assignment to a sensitive position within the Department that the Secretary considers appropriate.

(e) ASSIGNMENT.—

(1) IN GENERAL.—Each individual who participates in the fellows program shall be assigned to a position in the Office of the Secretary of Defense.

(2) POSITION REQUIREMENTS.—Each Under Secretary of Defense and each Director of a Defense Agency who reports directly to the Secretary shall submit to the Secretary each year the qualifications and skills to be demonstrated by participants in the fellows program to qualify for assignment under this subsection for service in a position of the office of such Under Secretary or Director.

(3) ASSIGNMENT TO POSITIONS.—The Secretary shall each year assign participants in the fellows program to positions in the offices of the Under Secretaries and Directors described in paragraph (2). In making such assignments, the Secretary shall seek to best match the qualifications and skills of participants in the fellows program with the requirements of positions available for assignment. Each participant so assigned shall serve as a special assistant to the Under Secretary or Director to whom assigned.

(4) TERM.—The term of each assignment under the fellows program shall be one year.

(5) PAY AND BENEFITS.—An individual assigned to a position under the fellows program shall be compensated at the rate of compensation for employees at level GS–10 of the General Schedule, and shall be treated as an employee of the United States during the term of assignment, including for purposes of eligibility for health care benefits and retirement benefits available to employees of the United States.

(6) EDUCATION LOAN REPAYMENT.—To the extent that funds are provided in advance in appropriations Acts, the Secretary may repay any loan of a participant in the fellows program if the loan is described by subparagraph (A), (B), or (C) of section 16301(a)(1) of title 10, United States Code. Any repayment of loans under this paragraph shall be on a first-come, first-served basis.

(f) CAREER DEVELOPMENT.—

(1) IN GENERAL.—The Secretary shall ensure that participants in the fellows program—

(A) receive opportunities and support appropriate for the commencement of a career track within the Department leading toward a future position of senior leadership within the Department, including ongoing mentorship support through appropriate personnel from entities within the Department such as the Defense Business Board and the Defense Innovation Board; and

(B) are provided appropriate opportunities for employment and advancement within the Department upon successful completion of the fellows program.

(2) RESERVATION OF POSITIONS.—In carrying out paragraph (1)(B), the Secretary shall reserve for participants who successfully complete the fellows program not fewer than 30 positions in the excepted service within the Department that are suitable for the commencement of a career track toward senior leadership within the Department. Any position so reserved shall not be subject to or covered by any reduction in headquarters personnel required under any other provision of law.

(3) NONCOMPETITIVE APPOINTMENT.—Upon the successful completion of the assignment of a participant in the fellows program in a position pursuant to subsection (e), the Secretary may, without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code, appoint the participant to a position reserved pursuant to paragraph (2) if the Secretary determines that such appointment will contribute to the development of highly qualified future senior leaders for the Department.

(4) PUBLICATION OF SELECTION.—The Secretary shall publish on an Internet website of the Department available to the public the names of the individuals selected to participate in the fellows program.

(g) OUTREACH.—The Secretary shall undertake appropriate outreach to inform potential participants in the fellows program of the nature and benefits of participation in the fellows program.

(h) REGULATIONS.—The Secretary shall carry out this section in accordance with such regulations as the Secretary may prescribe for purposes of this section.

(i) FUNDING.—Of the amounts authorized to be appropriated for each fiscal year for the Department of Defense for operation and maintenance, Defense-wide, $10,000,000 may be available to carry out the fellows program in such fiscal year.

SA 2886. Ms. STABENOW (for herself, Mr. TILLIS, Mr. PETERS, Mr. BURR, Mr. CARPER, Ms. CANTWELL, and Ms. HASSAN) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

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

SEC. 316. COOPERATIVE AGREEMENTS WITH STATES FOR REMOVAL AND REMEDIAL ACTIONS TO ADDRESS DRINKING, SURFACE, AND GROUND WATER CONTAMINATION FROM PFAS.

(a) DEFINITIONS.—In this section:

(1) The term ''perfluorinated compound'' means perfluoroalkyl and polyfluoroalkyl substances (PFAS) that are man-made chemicals with at least one fully fluorinated carbon atom.

(2) The term ''fully fluorinated carbon atom'' means a carbon atom on which all the hydrogen substituents have been replaced by fluorine.

(3) The term ''State'' has the meaning given the term in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

(b) COOPERATIVE AGREEMENT.—

(1) IN GENERAL.—Upon request from the governor or chief executive of a State, the Department of Defense shall work expeditiously to finalize a cooperative agreement for, or amend an existing cooperative agreement to address, testing, monitoring, removal, and remedial actions to address contamination or suspected contamination of drinking, surface, or ground water from PFAS originating from an active or decommissioned military installation, including a National Guard facility.

(2) MINIMUM STANDARDS.—A cooperative agreement finalized or amended under paragraph (1) shall meet or exceed the most stringent of the following standards for PFAS in any environmental media:

(A) An enforceable State standard, in effect in that State, for drinking, surface, or ground water, as required under section 121(d) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 4621(d)).

(B) Federal Health Advisories issued by the Environmental Protection Agency.

(C) Any Federal standards, requirements, criteria, or limits, including those issued under the Toxic Substances Control Act (15 U.S.C. 2601 et seq.), the Safe Drinking Water Act (42 U.S.C. 300f et seq.), the Clean Air Act (42 U.S.C. 7401 et seq.), the Clean Water Act (33 U.S.C. 1251 et seq.), the Marine Protection, Research and Sanctuaries Act (16 U.S.C. 1431 et seq., 1447 et seq., 33 U.S.C. 1401 et seq., 2801 et seq.), or the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

(c) NOTIFICATION REQUIREMENT.—

(1) IN GENERAL.—If a cooperative agreement is not reached or amended pursuant to subsection (b) within one year after the request from a State, the Secretary of Defense shall report to the appropriate congressional committees, as well as the Senators from the State with the contamination and the member of Congress representing the district with the PFAS contamination. The report shall provide a detailed explanation for why an agreement has not been reached or amended and a projected timeline for completing or amending the cooperative agreement, as applicable.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services and the Committee on Environment and Public Works of the Senate; and

(B) the Committee on Armed Services and the Committee on Energy and Commerce of the House of Representatives.

SA 2887. Mr. SASSE (for himself and Mr. KING) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

At the end of part I of subtitle C of title XVI, add the following:

SEC. _____. STUDY ON CYBEREXPLOITATION OF MEMBERS OF THE ARMED FORCES AND THEIR FAMILIES.

(a) STUDY REQUIRED.—Not later than 150 days after the date of the enactment of this Act, the Secretary of Defense shall complete a study on the cyberexploitation of the personal information and accounts of members of the Armed Forces and their families.

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

(1) An assessment of the vulnerability of members of the Armed Forces and their families to inappropriate access to their personal information and accounts of such members and their families, including identification of particularly vulnerable subpopulations.

(2) Creation of a catalogue of past and current efforts by foreign governments and nonstate actors at the cyberexploitation of the personal information and accounts of members of the Armed Forces and their families, including an assessment of the purposes of such efforts and their degrees of success.

(3) An assessment of the actions taken by the Department of Defense to educate members of the Armed Forces and their families, including particularly vulnerable subpopulations, about and actions that can be take to otherwise reduce these threats.

(4) Assessment of the potential for the cyberexploitation of misappropriated images and videos as well as deep fakes.

(5) Development of recommendations for policy changes to reduce the vulnerability of members of the Armed Forces and their families to cyberexploitation, including recommendations for legislative or administrative action.

(c) REPORT.—

(1) IN GENERAL.—The Secretary shall submit to the congressional defense committees a report on the findings of the Secretary with respect to the study required by subsection (a).

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(d) DEFINITIONS.—In this section:

(1) The term ''cyberexploitation'' means the use of digital means to obtain access to an individual's personal information without authorization.

(2) The term ''deep fake'' means the digital insertion of a person's likeness into or digital alteration of a person's likeness in visual media, such as photographs and videos, without the person's permission and with malicious intent.

SA 2888. Mr. LEE (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. PROHIBITION ON THE INDEFINITE DETENTION OF CITIZENS AND LAWFUL PERMANENT RESIDENTS.

(a) IN GENERAL.—No citizen or lawful permanent resident of the United States may be imprisoned or otherwise detained by the United States Department of Defense or Defense Department operated facility unless such imprisonment or detention is consistent with the Constitution and is carried out pursuant to an Act of Congress that expressly authorizes such imprisonment or detention.

(b)(1) A general authorization to use military force, a declaration of war, or any similar authority, on its own, may not be construed to authorize the imprisonment or detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States.

(2) Paragraph (1) shall apply to an authorization to use military force, a declaration of war, or any similar authority enacted before, on, or after the date of the enactment of this subsection.

(3) This section may not be construed to authorize the imprisonment or detention of a citizen of the United States, a lawful permanent resident of the United States, or any other person who is apprehended in the United States.

SA 2889. Mr. LEE (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. PROHIBITION ON THE INDEFINITE DETENTION OF CITIZENS AND LAWFUL PERMANENT RESIDENTS.

(a) IN GENERAL.—No citizen or lawful permanent resident of the United States may be imprisoned or otherwise detained by the United States Department of Defense or Defense Department operated facility unless such imprisonment or detention is consistent with the Constitution and is carried out pursuant to an Act of Congress that expressly authorizes such imprisonment or detention.

(b)(1) A general authorization to use military force, a declaration of war, or any similar authority, on its own, may not be construed to authorize the imprisonment or detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States.

(2) Paragraph (1) shall apply to an authorization to use military force, a declaration of war, or any similar authority enacted before, on, or after the date of the enactment of this subsection.

(3) This section may not be construed to authorize the imprisonment or detention of a citizen of the United States, a lawful permanent resident of the United States, or any other person who is apprehended in the United States.

SA 2890. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

At the end of subtitle I of title VIII, add the following:

SEC. 896. ANNUAL LIST OF SBIR AWARDS.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended by adding at the end the following:

''(tt) ANNUAL LIST OF LOW PARTICIPATION STATES.—Each Federal agency participating in the SBIR program shall include in the report required under subsection (b)(7), for the preceding 12-month period—

''(1) a list of the number of SBIR awards provided to small business concerns in each State; and

''(2) a plan to increase the number of SBIR awards provided to small business concerns located in the 20 States listed under paragraph (1) with the lowest number of SBIR awards.''.

SA 2891. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

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

SEC. 1250. SENSE OF SENATE ON INCORPORATION OF NON-NUCLEAR NAVAL PROPULSION AND TECHNOLOGY SYSTEMS MANUFACTURED IN THE UNITED STATES INTO THE NAVAL VESSELS OF UNITED STATES ALLIES IN THE INDO-PACIFIC REGION.

It is the sense of the Senate that, consistent with the Conventional Arms Transfer Policy of the United States Government recently updated to promote policies that strengthen our allies and partners around the world and preserve peace while creating American manufacturing jobs—

(1) it is in the interest of the United States that non-nuclear naval propulsion and technology systems manufactured in the United States be incorporated into warships of navies of close allies of the United States, including Australia, Canada, India, South Korea, Taiwan, and other countries pursuing the modernization of their fleets; and

(2) naval cooperation arising from the incorporation of such systems into such warships will—

(A) help guarantee interoperability and commonality of warfighting systems between the United States and our allies in the Indo-Pacific region; and

(B) promote the expansion of the dynamism and innovation of the defense industry manufacturing supply chain in the United States.

SA 2892. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

On page 872, line 5, insert ''or by'' after ''Information to''.

On page 876, between lines 6 and 7, insert the following:

SEC. 1716. INFORMATION SHARING BY CONGRESS.

Section 721(g)(2)(A) of the Defense Production Act of 1950 (50 U.S.C. 4565(g)(2)(A)) is amended by striking the second sentence.

SA 2893. Mr. BROWN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

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

SEC. 823. DESIGNATION OF BERYLLIUM AS SPECIALTY METAL.

Section 2533b(l) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(5) Beryllium and beryllium base alloys.''.

SA 2894. Mr. BROWN (for himself, Mr. CASEY, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

At the end of part I of subtitle C of title XVI, add the following:

SECTION 1637. UKRAINE CYBERSECURITY COOPERATION.

(a) FINDINGS.—Congress finds the following:

(1) The United States established diplomatic relations with Ukraine in 1992, following Ukraine's independence from the Soviet Union.

(2) The United States attaches great importance to the success of Ukraine's transition to a modern democratic country with a flourishing market economy.

(3) In an effort to undermine democracy in Ukraine, hackers targeted the country's voting infrastructure just days before its 2014 presidential election.

(4) In December 2015, a malicious cyber intrusion into Ukrainian electric utility companies resulted in widespread power outages.

(5) As a result of the December 2015 cyber incident, the United States sent an interagency team to Ukraine, including representatives from the Department of Energy, the Federal Bureau of Investigation, and the North American Electric Reliability Corporation, to help with the investigation and to assess the vulnerability of Ukraine's infrastructure to cyber intrusion. The visit was followed up by another interagency delegation to Ukraine in March 2016 and a May 2016 United States-Ukrainian tabletop exercise on mitigating attacks against Ukraine's infrastructure.

(6) In response to an escalating series of cyber attacks on the country's critical infrastructure—including its national railway system, its major stock exchanges, and its busiest airport—President Petro Poroshenko declared that ''Cyberspace has turned into another battlefield for state independence.''.

(7) In May 2017, Ukraine cited activities on Russian social media platforms, including pro-Russian propaganda and offensive cyber operations, as threats to Ukrainian national security.

(8) Following the June 2017 Petya malware event—a global cyber incident that primarily affected Ukraine—the Secretary General of the North Atlantic Treaty Organization (NATO) said ''the cyber attacks we have seen. . . very much highlight the importance of the support, the help NATO provides. . . gives. . . or provides to Ukraine to strengthen its cyber defenses, technical and other kinds of support. We will continue to do that and it's an important part of our cooperation with Ukraine.''.

(9) In September 2017, the United States and Ukraine conducted the first United States-Ukraine Bilateral Cyber Dialogue in Kyiv, during which both sides affirmed their commitment to an internet that is open, interoperable, reliable, and secure, and the United States announced $5 million in new cyber assistance to strengthen Ukraine's ability to prevent, mitigate, and respond to cyber attacks.

(b) STATEMENT OF POLICY.—It is the policy of the United States to—

(1) reaffirm the United States-Ukraine Charter on Strategic Partnership, which highlights the importance of the bilateral relationship and outlines enhanced cooperation in the areas of defense, security, economics and trade, energy security, democracy, and cultural exchanges;

(2) support continued cooperation between NATO and Ukraine;

(3) support Ukraine's political and economic reforms;

(4) reaffirm the commitment of the United States to the Budapest Memorandum on Security Assurances;

(5) assist Ukraine's efforts to enhance its cybersecurity capabilities; and

(6) improve Ukraine's ability to respond to Russian-supported disinformation and propaganda efforts in cyberspace, including through social media and other outlets.

(c) UNITED STATES CYBERSECURITY COOPERATION WITH UKRAINE.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of State should take the following actions, commensurate with United States interests, to assist Ukraine to improve its cybersecurity:

(A) Provide Ukraine such support as may be necessary to secure government computer networks from malicious cyber intrusions, particularly such networks that defend the critical infrastructure of Ukraine.

(B) Provide Ukraine support in reducing reliance on Russian information and communications technology.

(C) Assist Ukraine to build its capacity, expand cybersecurity information sharing, and cooperate on international cyberspace efforts.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on United States cybersecurity cooperation with Ukraine. The report shall also include information relating to the following:

(A) United States efforts to strengthen Ukraine's ability to prevent, mitigate, and respond to cyber incidents, including through training, education, technical assistance, capacity building, and cybersecurity risk management strategies.

(B) The potential for new areas of collaboration and mutual assistance between the United States and Ukraine in addressing shared cyber challenges, including cybercrime, critical infrastructure protection, and resilience against botnets and other automated, distributed threats.

(C) NATO's efforts to help Ukraine develop technical capabilities to counter cyber threats.

SA 2895. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

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

SEC. 3119. EXTENDING THE AUTHORIZATION OF THE EEOICPA OMBUDSMAN.

Section 3686 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7385s–15(h)) is amended—

(1) in subsection (h), by striking ''October 28, 2019'' and inserting ''October 28, 2024''; and

(2) by adding at the end the following:

''(i) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

''(2) TREATMENT AS DISCRETIONARY SPENDING.—

''(A) IN GENERAL.—Amounts appropriated to carry out this section—

''(i) shall not be appropriated to the account established under subsection (a) of section 151 of title I of division B of Appendix D of the Consolidated Appropriations Act, 2001 (Public Law 106–554; 114 Stat. 2763A–251); and

''(ii) shall not be subject to subsection (b) of that section.

''(B) RESTRICTION.—No amounts appropriated under section 3684 shall be made available to carry out this section.''.

SA 2896. Mr. PORTMAN (for himself and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

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

SEC. 12___. REPORT RELATING TO FOREIGN SERVICE OFFICERS.

(a) IN GENERAL.—The Secretary of State, in coordination with the Secretary of Defense, shall submit to the appropriate committees of Congress a report that examines the feasibility of requiring by 2025 a tour of not less than one year in the Department of Defense, excluding educational opportunities, for any foreign service officer of the Department of State to be considered for the senior foreign service.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) The number of senior foreign service officers who, as of the date of the enactment of this Act, have done a tour of at least one year in the Department of Defense.

(2) The total number of senior foreign service officers.

(3) The average number of senior foreign service officers inducted annually during the 10 years preceding the date of the enactment of this Act;

(4) The total number of Department of State political advisors stationed in the Department of Defense, including in which commands or offices such political advisors serve;

(5) The total number of Department of Defense military advisors stationed in the Department of State (excluding defense attaches, senior defense officials, and other Department of Defense personnel stationed in embassies) and the offices in which such military advisors serve.

(6) A description of the process and an assessment of the resources needed for the tour requirement to begin in 2025.

(7) Any costs associated with such requirement.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SA 2897. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

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

SEC. 12___. SYRIAN WAR CRIMES ACCOUNTABILITY.

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

(1) March 2017 marks the sixth year of the ongoing conflict in Syria.

(2) As of February 2017—

(A) more than 13,000,000 people are in need of humanitarian assistance in Syria;

(B) approximately 6,600,000 people are displaced from their homes inside Syria; and

(C) approximately 5,600,000 Syrians have fled to neighboring countries as refugees.

(3) Since the conflict in Syria began, the United States has provided more than $8,000,000,000 to meet humanitarian needs in Syria, making the United States the world's single largest donor by far to the Syrian humanitarian response.

(4) In response to growing concerns over systemic human rights violations in Syria, the Independent International Commission of Inquiry on the Syrian Arab Republic (referred to in this subsection as ''COI'') was established on August 22, 2011. The purpose of COI is to ''investigate all alleged violations of international human rights law since March 2011 in the Syrian Arab Republic, to establish the facts and circumstances that may amount to such violations and of the crimes perpetrated and, where possible, to identify those responsible with a view to ensuring that perpetrators of violations, including those that may constitute crimes against humanity, are held accountable''.

(5) Millions of Syrian refugees and internally displaced persons will face enormous difficulties returning to their homes in Syria unless President Bashar al-Assad is no longer in power.

(6) On December 21, 2016, the United Nations General Assembly adopted a resolution to establish the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011.

(7) In 2017, then Secretary of State Rex Tillerson stated ''ISIS is clearly responsible for genocide against Yezidis, Christians, and Shia Muslims in areas it controls or has controlled. ISIS is also responsible for crimes against humanity and ethnic cleansing directed at these same groups, and in some cases against Sunni Muslims, Kurds, and other minorities . . . . The protection of these groups, and others subject to violent extremism, is a human rights priority for the Trump administration.''.

(8) On February 7, 2017, Amnesty International reported that between 5,000 and 13,000 people were extrajudicially executed in the Saydnaya Military Prison between September 2011 and December 2015.

(9) In February 2017, COI released a report—

(A) stating that a joint United Nations-Syrian Arab Red Crescent convoy in Orum al-Kubra, Syria, was attacked by air on September 19, 2016;

(B) explaining that the attack killed at least 14 civilian aid workers, injured at least 15 others, and destroyed trucks, food, medicine, clothes, and other supplies; and

(C) concluding that ''the attack was meticulously planned and ruthlessly carried out by the Syrian air force to purposefully hinder the delivery of humanitarian aid and target aid workers, constituting the war crimes of deliberately attacking humanitarian relief personnel, denial of humanitarian aid and targeting civilians.''.

(10) On October 26, 2017, the Organization for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism transmitted its sixth report, which concluded that the Syrian Arab Armed Forces and the Islamic State in Iraq and Syria (ISIS) have both used chemical weapons against villages in Syria, including the use of sarin by the forces of the Government of Syria in Khan Sheikhoun in April 2017.

(11) On August 8, 2017, COI released a report stating that certain offenses, including deliberately attacking hospitals, holding back humanitarian aid as a tactic to control civilian populations, and the continued use of chemical weapons against civilians, constitute war crimes and crimes against humanity.

(12) Physicians for Human Rights reported that, between March 2011 and the end of December 2017, Syrian government and allied forces—

(A) had committed 446 attacks on 330 separate medical facilities (including through the use of indiscriminate barrel bombs on at least 80 occasions); and

(B) had killed 847 medical personnel.

(13) The Department of State's 2017 Country Reports on Human Rights Practices—

(A) states that President Bashar al-Assad ''engaged in frequent violations and abuses, including massacres, indiscriminate killings, kidnapping of civilians, arbitrary detentions, and rape as a war tactic.'';

(B) explains that ''these attacks included bombardment with improvised explosive devices, commonly referred to as 'barrel bombs' . . .''; and

(C) reports that ''[t]he government [of Syria] continued the use of torture and rape, including of children''.

(14) In February 2016, COI reported that—

(A) ''crimes against humanity continue to be committed by [Syrian] Government forces and by ISIS'';

(B) the Syrian government has ''committed the crimes against humanity of extermination, murder, rape or other forms of sexual violence, torture, imprisonment, enforce disappearance and other inhuman acts''; and

(C) ''[a]ccountability for these and other crimes must form part of any political solution''.

(15) Credible civil society organizations collecting evidence of war crimes, crimes against humanity, and genocide in Syria report that at least 12 countries in western Europe and North America have requested assistance on investigating such crimes.

(16) In April 2018, the COI—

(A) reported at least 34 chemical attacks during the period beginning in 2013 and ending in January 2018, many of which—

(i) used chlorine or sarin, a nerve agent; and

(ii) were conducted by the Government of Syria.

(17) According to the World Health Organization, following the April 7, 2018, chemical weapons attack in Douma, Eastern Ghouta, an estimated 500 people were treated for ''signs and symptoms consistent with exposure to toxic chemicals''.

(18) On April 13, 2018, United States Ambassador to the United States Nikki Haley stated: ''The United States estimates that Assad has used chemical weapons in the Syrian war at least 50 times. Public estimates are as high as 200.''

(b) SENSE OF CONGRESS.—Congress—

(1) strongly condemns—

(A) the ongoing violence, use of chemical weapons, targeting of civilian populations with barrel, incendiary, and cluster bombs and SCUD missiles, and systematic gross human rights violations carried out by the Government of Syria and pro-government forces under the direction of President Bashar al-Assad; and

(B) all abuses committed by violent extremist groups and other combatants involved in the civil war in Syria;

(2) denounces the roles Iran and Russia have played in perpetuating the conflict in Syria, and their involvement in the commission of crimes against humanity;

(3) expresses its support for the people of Syria seeking democratic change;

(4) urges all parties to the conflict—

(A) to immediately halt indiscriminate attacks on civilians;

(B) to allow for the delivery of humanitarian and medical assistance; and

(C) to end sieges of civilian populations;

(5) calls on the President to support efforts in Syria, and on the part of the international community, to ensure accountability for war crimes, crimes against humanity, and genocide committed during the conflict;

(6) affirms—

(A) Secretary of State Rex Tillerson's statement on October 26, 2017, that ''the United States wants a whole and unified Syria with no role for Bashar al-Assad in the government''; and

(B) former Secretary of State John Kerry's January 23, 2014 statement on Al Arabiya, that ''this should be about all of the people in Syria and the future of Syria. And Assad right now is the one person who stands in the way of peace and the future of Syria''; and

(7) supports the request in United Nations Security Council Resolutions 2139 (2014), 2165 (2014), and 2191 (2014) for the Secretary-General to regularly report to the Security

Council on implementation on the resolutions, including of paragraph 2 of Resolution 2139, which ''demands that all parties immediately put an end to all forms of violence [and] cease and desist from all violations of international humanitarian law and violations and abuses of human rights''.

(c) REPORT ON ACCOUNTABILITY FOR WAR CRIMES, CRIMES AGAINST HUMANITY, AND GENOCIDE IN SYRIA.—

(1) IN GENERAL.—The Secretary of State shall submit a report on war crimes, crimes against humanity, and genocide in Syria to the appropriate congressional committees not later than 90 days after the date of the enactment of this Act and another such report not later than 180 days after the Secretary of State determines that the violence in Syria has ceased.

(2) ELEMENTS.—The reports required under paragraph (1) shall include—

(A) a description of alleged war crimes, crimes against humanity, and genocide perpetrated during the civil war in Syria, including—

(i) incidents that may constitute war crimes, crimes against humanity, or genocide committed by the regime of President Bashar al-Assad and all forces fighting on its behalf;

(ii) incidents that may constitute war crimes, crimes against humanity, or genocide committed by violent extremist groups, anti-government forces, and any other combatants in the conflict;

(iii) any incidents that may violate the principle of medical neutrality and, if possible, the identification of the individual or individuals who engaged in or organized such incidents; and

(iv) if possible, a description of the conventional and unconventional weapons used for such crimes and the origins of such weapons; and

(B) a description and assessment by the Department of State Office of Global Criminal Justice, the United States Agency for International Development, the Department of Justice, and other appropriate agencies of programs that the United States Government has undertaken to ensure accountability for war crimes, crimes against humanity, and genocide perpetrated against the people of Syria by the regime of President Bashar al-Assad, violent extremist groups, and other combatants involved in the conflict, including programs—

(i) to train investigators within and outside of Syria on how to document, investigate, develop findings of, and identify and locate alleged perpetrators of war crimes, crimes against humanity, or genocide, including—

(I) the number of United States Government or contract personnel currently designated to work full-time on these issues; and

(II) the identification of the authorities and appropriations being used to support such training efforts;

(ii) to promote and prepare for a transitional justice process or processes for the perpetrators of war crimes, crimes against humanity, and genocide in Syria beginning in March 2011;

(iii) to document, collect, preserve, and protect evidence of war crimes, crimes against humanity, and genocide in Syria, including support for Syrian, foreign, and international nongovernmental organizations, and other entities, including the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 and the Independent International Commission of Inquiry on the Syrian Arab Republic; and

(iv) to assess the influence of accountability measures on efforts to reach a negotiated settlement to the Syrian conflict during the reporting period.

(3) FORM.—The report required under paragraph (1) may be submitted in unclassified or classified form, but shall include a publicly available annex.

(4) PROTECTION OF WITNESSES AND EVIDENCE.—The Secretary shall take due care to ensure that the identification of witnesses and physical evidence are not publicly disclosed in a manner that might place such persons at risk of harm or encourage the destruction of evidence by the Government of Syria, violent extremist groups, anti-government forces, or any other combatants or participants in the conflict.

(d) TRANSITIONAL JUSTICE STUDY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State (acting through appropriate officials and offices, which may include the Office of Global Criminal Justice), after consultation with the Department of Justice, the United States Agency for International Development, and other appropriate Federal agencies, shall—

(1) complete a study of the feasibility and desirability of potential transitional justice mechanisms for Syria, including a hybrid tribunal, to address war crimes, crimes against humanity, and genocide perpetrated in Syria beginning in March 2011; and

(2) submit a detailed report of the results of the study conducted under paragraph (1), including recommendations on which transitional justice mechanisms the United States Government should support, why such mechanisms should be supported, and what type of support should be offered, to—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Foreign Affairs of the House of Representatives;

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Appropriations of the House of Representatives;

(E) the Committee on the Judiciary of the Senate; and

(F) the Committee on the Judiciary of the House of Representatives.

(e) REPORT ON ACCOUNTABILITY FOR WAR CRIMES, CRIMES AGAINST HUMANITY, AND GENOCIDE IN SYRIA.—

(1) IN GENERAL.—The Secretary of State shall submit a report on war crimes, crimes against humanity, and genocide in Syria to the appropriate congressional committees not later than 90 days after the date of the enactment of this Act and another such report not later than 180 days after the Secretary of State determines that the violence in Syria has ceased.

(2) ELEMENTS.—The reports required under paragraph (1) shall include—

(A) a description of alleged war crimes, crimes against humanity, and genocide perpetrated during the civil war in Syria, including—

(i) incidents that may constitute war crimes, crimes against humanity, or genocide committed by the regime of President Bashar al-Assad and all forces fighting on its behalf;

(ii) incidents that may constitute war crimes, crimes against humanity, or genocide committed by violent extremist groups, anti-government forces, and any other combatants in the conflict;

(iii) any incidents that may violate the principle of medical neutrality and, if possible, the identification of the individual or individuals who engaged in or organized such incidents; and

(iv) if possible, a description of the conventional and unconventional weapons used for such crimes and the origins of such weapons; and

(B) a description and assessment by the Department of State Office of Global Criminal Justice, the United States Agency for International Development, the Department of Justice, and other appropriate agencies of programs that the United States Government has undertaken to ensure accountability for war crimes, crimes against humanity, and genocide perpetrated against the people of Syria by the regime of President Bashar al-Assad, violent extremist groups, and other combatants involved in the conflict, including programs—

(i) to train investigators within and outside of Syria on how to document, investigate, develop findings of, and identify and locate alleged perpetrators of war crimes, crimes against humanity, or genocide, including—

(I) the number of United States Government or contract personnel currently designated to work full-time on these issues; and

(II) the identification of the authorities and appropriations being used to support such training efforts;

(ii) to promote and prepare for a transitional justice process or processes for the perpetrators of war crimes, crimes against humanity, and genocide in Syria beginning in March 2011;

(iii) to document, collect, preserve, and protect evidence of war crimes, crimes against humanity, and genocide in Syria, including support for Syrian, foreign, and international nongovernmental organizations, and other entities, including the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 and the Independent International Commission of Inquiry on the Syrian Arab Republic; and

(iv) to assess the influence of accountability measures on efforts to reach a negotiated settlement to the Syrian conflict during the reporting period.

(3) FORM.—The report required under paragraph (1) may be submitted in unclassified or classified form, but shall include a publicly available annex.

(4) PROTECTION OF WITNESSES AND EVIDENCE.—The Secretary shall take due care to ensure that the identification of witnesses and physical evidence are not publicly disclosed in a manner that might place such persons at risk of harm or encourage the destruction of evidence by the Government of Syria, violent extremist groups, anti-government forces, or any other combatants or participants in the conflict.

(f) TRANSITIONAL JUSTICE STUDY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State (acting through appropriate officials and offices, which may include the Office of Global Criminal Justice), after consultation with the Department of Justice, the United States Agency for International Development, and other appropriate Federal agencies, shall—

(1) complete a study of the feasibility and desirability of potential transitional justice mechanisms for Syria, including a hybrid tribunal, to address war crimes, crimes against humanity, and genocide perpetrated in Syria beginning in March 2011; and

(2) submit a detailed report of the results of the study conducted under paragraph (1), including recommendations on which transitional justice mechanisms the United States

Government should support, why such mechanisms should be supported, and what type of support should be offered, to—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Foreign Affairs of the House of Representatives;

(C) the Committee on Appropriations of the Senate;

(D) the Committee on Appropriations of the House of Representatives;

(E) the Committee on the Judiciary of the House and Senate.

(g) TECHNICAL ASSISTANCE AUTHORIZED.—

(1) IN GENERAL.—The Secretary of State (acting through appropriate officials and offices, which may include the Office of Global Criminal Justice), after consultation with the Department of Justice and other appropriate Federal agencies, is authorized to provide appropriate assistance to support entities that, with respect to war crimes, crimes against humanity, and genocide perpetrated by the regime of President Bashar al-Assad, all forces fighting on its behalf, and all nonstate armed groups fighting in the country, including violent extremist groups in Syria beginning in March 2011—

(A) identify suspected perpetrators of war crimes, crimes against humanity, and genocide;

(B) collect, document, and protect evidence of crimes and preserve the chain of custody for such evidence;

(C) conduct criminal investigations;

(D) build Syria's investigative and judicial capacities and support prosecutions in the domestic courts of Syria, provided that President Bashar al-Assad is no longer in power;

(E) support investigations by third-party states, as appropriate; or

(F) protect witnesses that may be helpful to prosecutions or other transitional justice mechanisms.

(2) ADDITIONAL ASSISTANCE.—The Secretary of State, after consultation with appropriate Federal agencies and the appropriate congressional committees, and taking into account the findings of the transitional justice study required under subsection (f), is authorized to provide assistance to support the creation and operation of transitional justice mechanisms, including a potential hybrid tribunal, to prosecute individuals suspected of committing war crimes, crimes against humanity, or genocide in Syria beginning in March 2011.

(3) BRIEFING.—The Secretary of State shall provide detailed, biannual briefings to the appropriate congressional committees describing the assistance provided to entities described in paragraph (1).

(4) LIMITATION ON ASSISTANCE.—The Secretary of State may not provide any funding authorized under this Act to the Government of Syria led by Bashar al-Assad or to any official representative of such government until after the Secretary rescinds Syria's designation as a state sponsor of terrorism.

(h) STATE DEPARTMENT REWARDS FOR JUSTICE PROGRAM.—Section 36(b)(10) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708(b)(10)) is amended by inserting ''(including war crimes, crimes against humanity, or genocide committed in Syria beginning in March 2011)'' after ''genocide''.

(i) INDEPENDENT INTERNATIONAL COMMISSION OF INQUIRY ON THE SYRIAN ARAB REPUBLIC.—The Secretary of State, acting through the United States Permanent Representative to the United Nations, should use the voice, vote, and influence of the United States at the United Nations to advocate that the United Nations Human Rights Council, while the United States remains a member, annually extend the mandate of the Independent International Commission of Inquiry on the Syrian Arab Republic until the Commission has completed its investigation of all alleged violations of international human rights laws beginning in March 2011 in the Syrian Arab Republic.

(j) SAVINGS PROVISION.—Nothing in this section may be construed to violate the American Servicemembers' Protection Act of 2002 (title II of Public Law 107–206).

(k) DEFINITIONS.—In this section :

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations, the Committee on Armed Services; and the Committee on the Judiciary of the Senate; and

(B) the Committee on Foreign Affairs; the Committee on Armed Services; and the Committee on the Judiciary of the House of Representatives.

(2) GENOCIDE.—The term ''genocide'' means any offense described in section 1091(a) of title 18, United States Code.

(3) HYBRID TRIBUNAL.—The term ''hybrid tribunal'' means a temporary criminal tribunal that involves a combination of domestic and international lawyers, judges, and other professionals to prosecute individuals suspected of committing war crimes, crimes against humanity, or genocide.

(4) TRANSITIONAL JUSTICE.—The term ''transitional justice'' means the range of judicial, nonjudicial, formal, informal, retributive, and restorative measures employed by countries transitioning out of armed conflict or repressive regimes—

(A) to redress legacies of atrocities; and

(B) to promote long-term, sustainable peace.

(5) WAR CRIME.—The term ''war crime'' has the meaning given the term in section 2441(c) of title 18, United States Code.

SA 2898. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

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

SEC. 2838. NOTIFICATION OF CHANGES IN FORCE STRUCTURE OF THE UNITED STATES ARMY.

(a) NOTIFICATION.—Except as provided under subsection (d) and consistent with notification requirements set forth under section 993(a) of title 10, United States Code, the Secretary of the Army shall, as provided under subsection (b), notify the congressional defense committees and congressional members of the affected States of changes in force structure of a battalion-size unit or other units of approximately 500 members assigned at a military installation. In determining the change in force structure of a locality, the Secretary shall take into consideration both short-term and long-term cost factors.

(b) NOTICE REQUIREMENTS.—No action may be taken to effect or implement a change in force structure described under subsection (a) until—

(1) the Secretary of the Army—

(A) submits to Congress a notice of the proposed change in force structure, including the detailed scoring data analyzed by the Army and a justification for any changes to the methodology, attributes in the Military Value Analysis, and other categories weighed at the direction of the Secretary; and

(B) includes in the notice a report on the change in force structure as described under subsection (c); and

(2) a period of 60 days expires following the day on which the notice is submitted to the congressional defense committees and congressional members of the affected States as appropriate.

(c) REPORT ON THE CHANGE IN FORCE STRUCTURE.—The report referred to under subsection (b)(1)(B) is a report from the Secretary of the Army on the changes in force structure, including updates to the Procedures for Army Stationing related to the changes in force structure, as follows:

(1)(A) Military Value Analysis training attribute data and scoring for contiguous and non-contiguous training areas, including airspace, according to the associated installation, as separate and distinct training areas measured by average daily use and the cost of use.

(B) For purposes of determining training areas pursuant to this paragraph, non-contiguous training areas owned by the National Guard or other government agencies with formal agreements with the Army may be considered under the Military Value Analysis training attribute as a separate and distinct training area measured by average daily use and the cost of use.

(2) A standardized explanatory statement for each associated installation with a non-contiguous training area attribute that includes a justification for its use as it relates to the specific change in force structure under consideration and the cost and benefit to access a non-contiguous training area due to geographic separation, as described in Department of the Army Pamphlet (DA PAM) 5–13.

(3) Military Value Analysis investment attribute data and scoring for infrastructure surrounding each associated installation, including housing, schools, and transportation, funded by State or local governments and communities measured by the last five fiscal years.

(4)(A) Programmatic Environmental Assessment data and scoring for the projected cost of military construction and sustainment, restoration, and maintenance requirements, according to each associated installation, as separate and distinct measurements projected by the Future Year Defense Program planning to meet change in force structure mission requirements.

(B) For purposes of this paragraph, relocatable buildings or structures designated as temporary that are not eligible to receive sustainment, restoration, and maintenance funding, shall be measured as separate and distinct buildings or structures for each associated installation.

(5) Projected cost savings or cost avoidance to the Army that may impact the long-term total cost of the change in force structure, including total lifecycle cost factors of installation energy and utility costs, installation operating cost, installation renovation and maintenance cost, and the rate of basic allowance for housing.

(6) Projected cost savings to the Army and force structure unit members and their dependents measured by State and local exemptions in the form of a tax credit, State professional license reciprocity, education, employment, or other benefits as determined by the Secretary.

(d) WAIVER.—The Secretary of the Army may waive the notice and reporting requirements under this subsection on a case-by-case basis if the Secretary determines that

such waiver is necessary to rapidly mobilize a unit to meet emerging demands.

SA 2899. Mr. BENNET (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

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

SEC. 1066. LIMITATION ON INCREASES IN DUTIES ON IMPORTS OF STEEL AND ALUMINUM ON IMPORTS FROM CANADA, MEXICO, AND THE EUROPEAN UNION.

(a) IN GENERAL.—Notwithstanding any other provision of law, the rates of duty applicable to articles specified in subsection (b), and imported from Canada, Mexico, or any country that is a member of the European Union, under the Harmonized Tariff Schedule of the United States (in this section referred to as the ''HTS'') on March 22, 2018, shall remain in effect on and after March 23, 2018, without regard to any presidential proclamation issued on May 31, 2018, or any other date, relating to—

(1) the report of the Secretary of Commerce on the Secretary's investigation into the effect of imports of steel articles on the national security of the United States transmitted to the President on January 11, 2018; or

(2) the report of the Secretary of Commerce on the Secretary's investigation into the effect of imports of aluminum on the national security of the United States transmitted to the President on January 19, 2018.

(b) ARTICLES SPECIFIED.—The articles specified in this subsection are the following:

(1) Articles of steel classifiable under any of subheadings 7206.10 through 7216.50, 7216.99 through 7301.10, 7302.10, 7302.40 through 7302.90, or 7304.10 through 7306.90 of the HTS.

(2) Unwrought aluminum classifiable under heading 7601 of the HTS.

(3) Aluminum bars, rods, and profiles classifiable under heading 7604 of the HTS.

(4) Aluminum wire classifiable under heading 7605 of the HTS.

(5) Aluminum plates, sheets, and strips classifiable under heading 7606 of the HTS.

(6) Aluminum foil classifiable under heading 7607 of the HTS.

(7) Aluminum tubes and pipes classifiable under heading 7608 of the HTS.

(8) Aluminum tube and pipe fittings classifiable under heading 7609 of the HTS.

(9) Aluminum castings classifiable under statistical reporting number 7616.99.51.60 of the HTS.

(10) Aluminum forgings classifiable under statistical reporting number 7616.99.51.70 of the HTS.

(c) EXCEPTION FOR TECHNICAL CORRECTIONS.—The limitation under subsection (a) shall not apply with respect to technical corrections to the HTS.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preempt or alter any other provision of the Tariff Act of 1930 (19 U.S.C. 1304 et seq.) or the Trade Act of 1974 (19 U.S.C. 2101 et seq.) related to the enforcement of the customs and trade laws of the United States.

SEC. 1067. CONGRESSIONAL OVERSIGHT OF TARIFFS IMPOSED TO PROTECT NATIONAL SECURITY.

Section 232 of the Trade Expansion Act of 1962 (19 U.S.C. 1862) is amended—

(1) in subsection (b)—

(A) in paragraph (2), by adding at the end the following:

''(C) In conducting an investigation under this subsection, the Secretary shall consult with the Secretary of Defense, the Secretary of State, and the Director of National Intelligence with respect to the effects on the national security of imports of the article that is the subject of the investigation.''; and

(B) in paragraph (3)(A)—

(i) by inserting ''(i)'' before ''By no later'';

(ii) by striking ''If the Secretary'' and inserting the following:

''(ii) If the Secretary''; and

(iii) in clause (i), as designated by clause (i) of this subparagraph, by striking ''a report on'' and all that follows through ''under this section.'' and inserting the following: ''a report that includes—

''(I) the findings of such investigation with respect to the effect of the importation of such article in such quantities or under such circumstances upon the national security;

''(II) based on such findings, the recommendations of the Secretary for action or inaction under this section; and

''(III) in consultation with the Secretary of Defense, the Secretary of State, and the Director of National Intelligence, an assessment of the implications of such recommendations.'';

(2) in subsection (c)—

(A) by striking paragraph (2) and inserting the following:

''(2)(A) By not later than the date that is 30 days after the date on which the President makes any determination under paragraph (1), the President shall submit to Congress a report that includes—

''(i) a description of the reasons why the President has decided to take action, or refused to take action, under paragraph (1); and

''(ii) an assessment of the national security implications of such action or inaction.

''(B) Any portion of the report required by subparagraph (A) that does not contain classified information or proprietary information shall be included in the report published under subsection (e).''; and

(B) by adding at the end the following:

''(4) Before proclaiming any new or additional duty or quota under this subsection with respect to an article imported into the United States, the President shall—

''(A) consult with respect to the duty or quota with the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representative, and, if the duty or quota affects agricultural products, the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives;

''(B) consult with the House Advisory Group on Negotiations and the Senate Advisory Group on Negotiations convened under section 104(c) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (19 U.S.C. 4203(c)) regarding the status of discussions regarding any national security issue identified with respect to each country the exports of which would be subject to the duty or quota; and

''(C) in addition to the written statement required by paragraph (2), transmit to Congress—

''(i) a report by the United States International Trade Commission assessing the probable economic effects of the duty or quota on the economy of the United States; and

''(ii) a report by the Secretary of Defense, in consultation with the Secretary of State and the Director of National Intelligence, describing how the national security interests of the United States will be advanced by the duty or quota.''; and

(3) by redesignating the second subsection (d) as subsection (e).

SA 2900. Mr. CARDIN (for himself, Mr. HATCH, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed to amendment SA 2282 proposed by Mr. INHOFE (for himself and Mr. MCCAIN) to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

At the end of subtitle D of title IX, add the following:

SEC. 943. REPORT ON TERMINATION AND TRANSITION OF FUNCTIONS AND SERVICES OF THE DEFENSE INFORMATION SYSTEMS AGENCY AND WASHINGTON HEADQUARTERS SERVICES.

(a) REPORT REQUIRED BEFORE TERMINATION OR TRANSITION.—The Secretary of Defense may not terminate or transfer any functions or services of the Defense Information Systems Agency or Washington Headquarters Services to another element of the Department of Defense until the Secretary submits to the congressional defense committees a report on the termination or transfer.

(b) ELEMENTS.—The report on the termination or transfer of functions or services of the Defense Information Systems Agency or Washington Headquarters Services under subsection (a) shall include the following:

(1) A description of the functions, services, or both of such Agency or Field Activity to be terminated or transferred.

(2) If functions, services, or both are to be transferred, a description of the element or elements of the Department to which such functions or services are to be transferred.

(3) A description of disposition of the remaining functions or services of such Agency or Field Activity, if any, after termination or transfer.

(4) A comprehensive assessment of the impact of the actions described in paragraphs (1) through (3), including costs.

SA 2901. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill H.R. 5515, to authorize appropriations for fiscal year 2019 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. LOSS OF NATIONALITY DUE TO SUPPORT OF TERRORISM.

(a) SHORT TITLE.—This section may be cited as the ''Expatriate Terrorist Act''.

(b) IN GENERAL.—Section 349(a) of the Immigration and Nationality Act (8 U.S.C. 1481(a)) is amended to read as follows:

''(a) IN GENERAL.—A person who is a national of the United States, whether by birth or by naturalization, shall lose his or her nationality by voluntarily performing any of

the following acts with the intention of relinquishing United States nationality:

''(1) Obtaining naturalization in a foreign state upon his or her own application or upon an application filed by a duly authorized agent, after having attained 18 years of age.

''(2) Taking an oath or making an affirmation or other formal declaration of allegiance to a foreign state, a political subdivision thereof, or an organization designated as a foreign terrorist organization under section 219, after having attained 18 years of age.

''(3) Entering, or serving in, the armed forces of a foreign state or an organization designated as a foreign terrorist organization under section 219 if—

''(A) such armed forces are engaged in hostilities against the United States; or

''(B) such person serves as a commissioned or noncommissioned officer.

''(4) Accepting, serving in, or performing the duties of any office, post, or employment under the government of a foreign state, a political subdivision thereof, or an organization designated as a foreign terrorist organization under section 219 if, after having attained 18 years of age—

''(A) the person knowingly has or acquires the nationality of such foreign state; or

''(B) an oath, affirmation, or declaration of allegiance to the foreign state, a political subdivision thereof, or a designated foreign terrorist organization is required for such office, post, or employment.

''(5) Making a formal renunciation of United States nationality before a diplomatic or consular officer of the United States in a foreign state, in such form as may be prescribed by the Secretary of State.

''(6) Making in the United States a formal written renunciation of nationality in such form as may be prescribed by, and before such officer as may be designated by, the Attorney General, while the United States is in a state of war and the Attorney General approves such renunciation as not contrary to the interests of national defense.

''(7) Being convicted by a court martial or by a court of competent jurisdiction of any of the following crimes:

''(A) Committing any act of treason against, or attempting by force to overthrow, or bearing arms against, the United States.

''(B) Violating or conspiring to violate any provision of section 2383 of title 18, United States Code.

''(C) Willfully performing any act in violation of section 2385 of such title.

''(D) Violating section 2384 of such title by engaging in a conspiracy to overthrow, put down, or to destroy by force the Government of the United States, or to levy war against the United States.

''(8) Knowingly providing material support or resources (as described in section 2339A(b) of title 18, United States Code) to any organization designated as a foreign terrorist organization under section 219 if such person knows that such organization is engaged in hostilities against the United States.''.

(c) REVOCATION OR DENIAL OF PASSPORTS AND PASSPORT CARDS TO INDIVIDUALS WHO ARE MEMBERS OF FOREIGN TERRORIST ORGANIZATIONS.—The Act entitled ''An Act to regulate the issue and validity of passports, and for other purposes'', approved July 3, 1926 (22 U.S.C. 211a et seq.), which is commonly known as the ''Passport Act of 1926'', is amended by adding at the end the following:

''SEC. 4. AUTHORITY TO DENY OR REVOKE PASSPORT AND PASSPORT CARD.

''(a) INELIGIBILITY.—

''(1) ISSUANCE.—The Secretary of State may not issue a passport or passport card to any individual whom the Secretary has determined, by a preponderance of the evidence—

''(A) is serving in, or is attempting to serve in, an organization designated by the Secretary as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); and

''(B) is a threat to the national security interest of the United States.

''(2) REVOCATION.—The Secretary of State shall revoke a passport or passport card previously issued to any individual described in paragraph (1).

''(b) RIGHT OF REVIEW.—Any person who, in accordance with this section, is denied issuance of a passport or passport card by the Secretary of State, or whose passport or passport card is revoked or otherwise restricted by the Secretary of State, may request a due process hearing, under regulations prescribed by the Secretary, not later than 60 days after receiving such notice of such nonissuance, revocation, or restriction.

''(c) NATIONAL SECURITY WAIVER.—Notwithstanding subsection (a), if the Secretary of State determines that such action is in the national security interest of the United States, the Secretary may—

''(1) issue a passport or passport card to an individual described in subsection (a)(1); or

''(2) refuse to revoke a passport or passport card of an individual described in subsection (a)(1).''.

(d) CONFORMING AMENDMENT.—Section 351(b) of the Immigration and Nationality Act (8 U.S.C. 1483(b)) is amended by striking ''(3) and (5)'' and inserting ''(3), (5), and (8)''.

AUTHORITY FOR COMMITTEES TO MEET

Mr. LANGFORD. Mr. President, I have 12 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on Wednesday, June 13, 2018, at 9:30 a.m., to conduct a hearing.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, June 13, 2018, at 2:30 p.m., to conduct a hearing entitled ''Oversight of the National Telecommunication and Information Administration.''

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, June 13, 2018, at 10 a.m., to conduct a hearing entitled ''Innovation and America's Infrastructure: Examining the Effects and Emerging Autonomous Technologies on America's Roads and Bridges.''

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, June 13, 2018, at 10 a.m., to conduct a hearing on the following nominations: Kimberly Breier, of Virginia, to be an Assistant Secretary (Western Hemisphere Affairs), Kenneth S. George, of Texas, to be Ambassador to the Oriental Republic of Uruguay, and Joseph N. Mondello, of New York, to be Ambassador to the Republic of Trinidad and Tobago, all of the Department of State.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, June 13, 2018, at 10 a.m., to conduct a hearing on pending legislation and the following nominations: nominations of Kelly Higashi, to be an Associate Judge of the Superior Court of the District of Columbia, Frederick M. Nutt, of Virginia, to be Controller, Office of Federal Financial Management, Office of Management and Budget, and Emory A. Rounds III, of Maine, to be Director of the Office of Government Ethics.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, June 13, 2018, at 2:30 p.m., to conduct a hearing.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, June 13, 2018, at 2:30 p.m., to conduct a hearing entitled ''GAO High Risk List: Turning Around Vulnerable Indian Programs.''

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, June 13, 2018, at 10 a.m., to conduct a hearing entitled ''Confronting Sexual Harassment and Other Workplace Misconduct in the Federal Judiciary.''

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Wednesday, June 13, 2018, at 2:30 p.m., to conduct a hearing the nomination of John Lowry III, of Illinois, to be Assistant Secretary of Labor for Veterans' Employment and Training.

JOINT COMMITTEE ON SOLVENCY OF MULTIEMPLOYER PENSION PLANS

The Joint Committee on Solvency of Multiemployer Pension Plans is authorized to meet during the session of the Senate on Wednesday, June 13, 2018, at 2 p.m., to conduct a hearing entitled ''Employer Perspectives on Multiemployer Pension Plans.''

SUBCOMMITTEE ON WATER AND POWER

The Subcommittee on Water and Power of the Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Wednesday, June 13, 2018, at 10 a.m., to conduct a hearing.

SUBCOMMITTEE ON SUPERFUND, WASTE MANAGEMENT, AND REGULATORY OVERSIGHT

The Subcommittee on Superfund, Waste Management, and Regulatory

Oversight of the Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, June 13, 2018, at 2:30 p.m., to conduct a hearing entitled ''Oversight of the Army Corps' Regulation of Surplus Water and the Roles of States' Rights.''

PRIVILEGES OF THE FLOOR

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that my law clerk, Charlotte Schwartz, be granted floor privileges for the length of my remarks during today's session.

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

Mr. WICKER. Mr. President, I ask unanimous consent that Frank Tedeschi and Steven Fowler, defense fellows in Senator ROUNDS's office, be granted floor privileges for the remainder of the day.

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

ORDERS FOR THURSDAY, JUNE 14, 2018

Mrs. ERNST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Thursday, June 14; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed. Finally, I ask that following leader remarks, the Senate resume consideration of H.R. 5515, with the time until the cloture vote equally divided between the two managers or their designees.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mrs. ERNST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order following the remarks of Senators MERKLEY and SASSE.

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

The Senator from Oregon.

ASYLUM POLICY

Mr. MERKLEY. Mr. President, for generations, the Statue of Liberty—Lady Liberty we like to call her—has stood as a symbol of how open America has been to treating those fleeing oppression when they arrive on the shores of America. We hear those famous words written by Emma Lazarus: ''Give me your tired, your poor, your huddled masses yearning to breathe free.'' That is a vision that we can connect to because virtually every American family has family roots tied to immigrants and tied to people pursuing freedom and fleeing oppression—fleeing religious oppression, fleeing civil war, fleeing famine—but who come to the refuge of the United States of America, knowing that here they could be treated well and have a fair chance to thrive.

In modern times, we have converted this into an asylum policy. An asylum policy means, if you are truly fleeing repression, oppression—if you are truly fleeing danger and your life would be in danger if you returned—you could gain admission into the United States of America. In fact, we put into international treaties and into national law—there it is—the torch, the beacon, that signals to the world that we stand for human rights.

Yet now we are in a new and different place. On May 7, our Attorney General announced a dramatic change that is completely contrary to the Statue of Liberty. What the Attorney General put forward was, should you flee oppression overseas and find yourself washed up on the shores of the United States of America, we will not greet you with a fair chance to present your case and thrive. Instead, we will grab you, treat you as a criminal, rip your children out of your arms, and lock you up. That is the new policy. That is the Jeff Sessions-Donald Trump-John Kelly policy of the United States of America.

When I heard about this, I didn't really believe it was possible that any administration could adopt a policy of inflicting deliberate trauma on children. There is no moral code in the world that supports such an action, and there is no religious tradition on our beautiful planet that supports such an action. Yet there it was—the decision to create a deterrence for people to come to our shores by our mistreating the children who had already arrived. Mistreat the child today, and deter some family abroad from ever thinking about coming. That is a dark stain on America, this strategy of deliberate harm to children.

Last Sunday, a week ago Sunday, I went down to find out if this were really true. I went to a detention center and gained admission to the detention center. The detention center is a large space that is split into different cells—you can call them cells—of fencing. There are fencing posts, and there is chain link fencing. The first room that I went into had smaller cells, maybe 12 by 12 or 15 by 15. They looked like cages. People were just arriving and being put into them.

It is, really, deeply saddening to see the terror in their eyes, the tears on their cheeks. They didn't know what was going to happen to them. Then they went through a series of desks, at which they were interviewed—many by computers because they were talking to people far afield, somewhere across the United States. They were being interviewed by electronic connection.

Then they were taken to a very large room, a warehouse-styled room. This is not the facility I was in, and this is not a 2018 picture, but it looks very much like what I saw. Since people are not allowed to enter the facility with any camera now, I am using this picture to share with you approximately what it looks like. There are the same green pads. There are the same space blankets. There are the same chain links. There is the same fencing. There is a sad, big room.

Now, what is there today in terms of that physical structure is no different than what was there in the last administration. That isn't the issue. The issue is how that is being put to work, because under this new policy, instead of treating families seeking asylum with respect until they have their hearing, instead of keeping families together so if they do gain admission into the United States they will be in good shape and they will be in good care, we are inflicting harm on them, harm on the parents, and harm on the children.

Any child psychological expert will tell you that when people have fled trauma abroad, perhaps gone over some very tough hurdles to the United States, the one thing they hang on to is the parent's hand, the father's hand or mother's hand—that close connection that they will see this through together. It is the one little sphere of safety in a big, dangerous world.

Then, in a room like this, after they have gone through the processing desks, the children are ripped out of their parents' arms. Their parents are incarcerated in one of these divided cells and children in another. They may not be able to see each other across the warehouse. They don't know what is going to happen.

So when I was in a room that looked very much like this a week ago Sunday, I was standing in front of a big cell that held just young boys, and they were lining up. They were lining up to be able to get some food, and they were told to line up from the smallest to the largest. That made a pretty dramatic picture with the smallest tyke in front, knee-high to a grasshopper, maybe 4 or 5 years old. Then, older boys lined up, maybe through 16 or 17 years old. As you stare at this group of children and see this group of children, you realize that some of them are unaccompanied minors. They arrived in the United States by themselves. But there are others. Within the previous 24 hours or maybe just a couple hours before you were present, that child was separated from his or her parents. I asked about the dramatic scenes that come from this—the wailing children and the frantic parents. I was told that happens occasionally, but not so often.

Then I heard the stories of how the children are now being separated, and I don't know how often this happens or if this is the way it is being done. But the parents are told: We are taking your child to the bathroom or we are taking your child for a bath, and the child

never reappears. The parent is shepherded off to one holding cell and the child to somewhere else.

There is something so wrong with the idea that this is the plan to deter families from seeking asylum in the United States by mistreating massively those who have already arrived, but that is what is going on.

John F. Kennedy once wrote: ''This country has always served as a lantern in the dark for those who love freedom but are persecuted in misery or in need.''

He uses the phrase ''lantern'' rather than torch, but I imagine he might have had in mind the glowing orb in the Statue of Liberty—Lady Liberty holding up that light.

He said: ''This country has always served as a lantern in the dark for those who love freedom but are persecuted in misery or in need.''

That is not so now, because the new policy is if you are persecuted, we will treat you as a criminal. We will lock you up. We will take your children away, and we don't care if it is inflicting massive trauma on the child, because we want to send a message to some other family that is still overseas. That is so profoundly disturbing.

After the children have been separated, they are sent elsewhere. But to where? Some are sent to a large holding area or detention facility. I tried to visit one of those in Brownsville, TX. This is a converted Walmart. It is run by a nonprofit that, by all accounts, works hard to take good care of the children. Ironically, it is named Casa Padre, or House of the Father, because there are no fathers there because the children have been torn away, and they have been brought here. No matter how well they are cared for in this Walmart, it can't erase the stain of the trauma inflicted on the child by tearing them away from their parents.

Now I wanted to go in and see how these children were being cared for. So I applied and I was told: Well, you can get in if you apply 2 weeks in advance, and maybe we will grant you permission.

So you can't put it on your calendar. That makes it difficult. No. 1, it makes it difficult for Senators to go because of the complexity of our schedules. Then, if permission is granted, they have 2 weeks to prepare to put on a show for you. So you will not actually see how the detention center is being operated. That is what Members of Congress need to be able to see. They need to be able to know what is really going on behind those doors.

I was told that behind these doors there were hundreds of children being held, maybe as many as 1,000. I wanted to know how many are there and how many were unaccompanied minors; that is, arriving unaccompanied. How many of them were torn away from their parents? Do they have the right resources for counseling, and do they have the right food for nutrition? How crowded has it become with this surge of new children?

We know there was a surge in roughly one time period in May. The Department of Homeland Security told us they took 658 children away from 638 parents in 12 or 13 days. That is hundreds—more than 600. That is over 50 kids a day being taken away. How is that per month, if that was the same schedule going on, at 50 per day? Well, it would be about 1,500 kids per month.

We are told that the number of children in the care of the United States of America increased by 21 percent between April 29 and May 29. So that is a real concern about who is being crowded in and how they are being taken care of. Well, I didn't get behind those doors. Instead, our good friends inside called the police. Now they had to ask me to leave, and, in fact, when I called up the phone number that was posted on the wall of the Walmart, the wonderful nice secretary said the supervisor wanted to come out and talk to me. It actually turned out that the supervisor wanted to come out and talk to the police who had been called.

I find it quite interesting—that level of defensiveness about seeing what was inside the facility. I knew I didn't have official permission because I tried to arrange it and I had been turned down, but I also thought: Really, a supervisor of a children's facility can't walk you through and explain to you what is going on there? I wanted to draw attention to the fact that this secrecy has to end.

We have to be able to know, as Members of Congress, what is going on with these children across the country. First and foremost, they should never be torn away from their parents while the family is seeking asylum, but if they are unaccompanied minors, they need to be treated with incredible, appropriate care, not concealed in buildings where Members of Congress can't gain access.

That is why I am putting forward the Congressional Access to Children's Detention Facilities Act. There is no clever acronym for it. It is straightforward. We are having to legislate that in our role under the Constitution of supervising and understanding what is going on in the executive branch so we can enact appropriate policies or allocate appropriate resources. Do we actually have to pass an act to be able to do it?

I am told by the nonprofit leaders at this facility that they are lobbying. They have no problem showing a Member of Congress what is going on and talking about what they need and what they don't need, but we need the administration to have the same philosophy, the same respect for the people who serve here.

We also have another bill, and this is Senator FEINSTEIN's bill. It is called the Keep Families Together Act. It is just a simple statement with some additional advice, caveats, and supporting structure and arguments. Basically, it comes down to a simple statement: If people are seeking asylum, do not injure the children. Do not injure the parents. Let them be a whole family until they have their hearing. That is the best thing if they do win asylum, and if they are going to be deported and don't win asylum, there is no reason to inflict harm deliberately on the children or on the parents.

This is so distressing that one refugee father, who came with his child and his child was torn away from him, was so upset, as I would be if my child was torn out of my arms, that he committed suicide. Marco Munoz from Honduras came to our shore with a vision of the Statue of Liberty and was met by people who tore his child away to who knows what end, so that he would ever see his child again. Who knows what kind of treatment that child was going to receive and what kind of stress that father went through to get his child safely from the most abominable conditions one can imagine—to get them safely to the United States to apply under international law. Yet we responded by treating him like a criminal.

There is more going on here. There are these ''no man's land'' areas between Mexico and the United States, and people walk across from one side to the other. The idea is you walk across one side and go in the door on the other. But when I met with an immigration attorney, a pro bono volunteer who works with refugees, she had gone out on the bridge and found that there were people left on that bridge, she said, in one case for 10 days and in another case for more than 10 days.

This is very hot territory. How would you like to be stranded in no man's land between two countries for more than a week, perhaps not being prepared with water or food? Where do you go to the bathroom in that 10-day period while you are stranded in between those places? I was told it appeared to be a deliberate effort to slow-walk people at the border point, where it is absolutely legal to come into the United States of America seeking asylum, in order to persuade them to leave and go back to the Mexican side, where they were incredibly vulnerable to Mexican gangs and had no support structure.

She told me that there had been kidnappings and then extortionists who asked the families for money to release individuals who had returned to the other side. She told me how people had gone elsewhere and crossed the border and presented themselves to the border guards in order to get into the custody of the United States and present themselves for asylum, but then they were treated, once again, as criminals.

Now, to add insult to injury, the day before yesterday, the Attorney General announced a new asylum policy. Here is the policy that has been forever, but now we are going to change the definition so that those who are fleeing domestic violence, those who are fleeing organized crime, those who have been attacked by drug gangs and have had their lives threatened and their children's lives—no matter how well you

document it, no matter how well you can prove it, no matter that you can prove that if you go back, you will be targeted for death—do not qualify for asylum in the United States of America. That is a change that has to be closely examined.

I met a woman in a respite center down in Texas. She had been released because she was very pregnant. So they said: Well, we are not going to put her in prison. We are going to release her until she has her hearing. She told me her story. Her family had gotten into a dispute with the drug gang that ran the community. So they had sent a team of people to gang rape her.

Her life had been threatened, and she had to leave immediately. She couldn't make accommodations for her children. Her children couldn't come with her. She didn't know how they were. She said: I have no idea who the father of this child is because it is a product of the gang attack. She qualified under our rules for asylum if she could document her case, until 2 days ago, but now she can't go to that asylum hearing under this new rule designed to keep people who have experienced enormous trauma abroad from qualifying—who have always qualified.

Not only is this administration inflicting trauma and pain on children to send a message to some other group of families overseas, but they are changing the rules for folks who arrived here, who have stood up for so long and stood up so well.

I think about how Lady Liberty no longer has a torch. Lady Liberty's torch has been snuffed out. The symbol to the world under the Sessions-Trump-John Kelly policy is, you will be treated as a criminal if you flee persecution and come to the United States. She doesn't carry a torch. She carries a pair of handcuffs, and that is absolutely wrong.

When John F. Kennedy wrote that ''this country has always served as a lantern in the dark,'' he could never have imagined the evil policy, the darkness of heart, the deliberate infliction of pain and trauma on children that would come out of this administration's policy.

It is our responsibility in this Chamber to debate this issue, to change that policy, and say America will never allow children to be deliberately harmed to send some political message to some family overseas. In fact, we will never allow them to be deliberately harmed under any circumstance. Let's restore the lantern that Lady Liberty has so proudly borne for so long.

Thank you.

The PRESIDING OFFICER. The Senator from Nebraska.

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. SASSE. Mr. President, I rise to draw attention to one particularly important element of the National Defense Authorization Act, which sits before this body.

First, it is worth noting that—despite the bizarre dysfunction of the last couple of days around here—the NDAA is usually a time each year when the Senate looks like an actual deliberative body. We look like an actual legislature.

Most of the typical bickering and made-for-TV sound bites get set aside this week or two every year as we focus on the first purpose of the Federal Government, which is to provide for the common defense.

The NDAA reveals our shared commitment to the men and women in uniform who serve our country so well. This legislation aims to scrutinize and annually reprioritize among the many important tasks that are going on in the Pentagon and in the broader Department of Defense.

If we are going to call on the men and women in the armed services who defend our freedoms to stand ready to defend us and to go into battle when necessary, we must equip them with the right tools to be able to get their job done. That is what this legislation is about each year, but it is not enough to simply be about defending against traditional enemies and traditional threats. We also need to use this annual occasion to pause and deeply look at new and emerging threats we face.

When you ask national security and intelligence experts in private and in public what keeps them up at night, as I do multiple times every week—I ask this question of people in the SCIF. You find something strange in this city. You have an agreement. Public and private sector experts, legislative and executive branch folks, career folks, political folks, whether Republican or Democratic, have widespread agreement that the long-term domain challenge we face is that America is woefully unprepared for the age of cyber war.

Thirty years ago, when the digital age was still in its infancy and the first computer viruses and bugs were created, the United States did not have a cyber doctrine to defend our interests. That was understandable in 1986 because these were new threats. It doesn't make any sense in 2018, and yet it is still true. We don't really have any coherent doctrine to defend our interests. This is inexcusable.

We are, today, overwhelmingly the most advanced digital economy and digital society in the world. Thus, we are, almost inevitably, the No. 1 target globally for cyber crime, but our adversaries are attacking us not merely as targets of opportunity, they are also attacking us because they sense our passivity.

State and nonstate actors alike are becoming regularly more brazen. Year over year, from 2012 to 2013, to 2014, to 2015, and to the present, we see this brazen action coming from China, Russia, Iran, North Korea, and lots of jihadi nonstate actors. Yet we still do not have a cyber doctrine to guide our planning process, we don't have a cyber doctrine to guide our actions, and we are unprepared for the warfare of 2020, 2025, and 2030.

How can this be? How can we lack a strategic plan, not merely to respond to the attacks against U.S. public and private sector networks but also to go a step further and deter them in real time? Why do we lack this plan?

Since joining this body in January of 2015, alongside the Presiding Officer, I have pushed for a strategic plan that clearly articulates how we will defend ourselves against the new threats in this cyber space. Unfortunately, this call has fallen on deaf ears in both the legislature and the executive branch, both Democratic and Republican administrations. There is far too little urgency. When you speak with generals, when you speak with CIA station chiefs around the world, nobody disputes this. Everyone knows we are unprepared, and we are underinvested in this domain. Yet no one is really in charge.

Fortunately, we are taking a major step in this NDAA to address this deficit in our war planning. While no one piece of legislation and no single proposal can possibly address all of our cyber deficits, there is, nonetheless, some very good news in this NDAA for both the public as a whole and those of us who are losing sleep about our cyber underpreparedness.

The legislation we are debating today, and will vote on in some form tomorrow, includes a proposal to bring American national security into the 21st century by establishing a Cyberspace Solarium Commission. This Commission is modeled after President Dwight Eisenhower's 1953 Project Solarium. At that time, as the Soviet Union was on the cusp of achieving a devastating thermonuclear weapon, Ike recognized that our Nation needed a clear strategy. We needed to be able to defend ourselves and our allies against the expanding Soviet threat. This is where both the historian and the strategist in me gets excited.

Never one to lack a plan, Eisenhower sequestered three different teams of experts at the National War College for 6 weeks. He tasked them with articulating a menu of large-scale, strategic frameworks for the age of nuclear confrontation. The result of Ike's competitive effort was a new national security directive, NSC 162/2, that charted a course that would successfully guide U.S. policy and bureaucratic development over many decades of the Cold War.

We desperately need similar strategic clarity today. The threats to American security are actually even more dynamic and unpredictable than in those early years of the Cold War. Then there were giant technological and scale barriers to becoming a nuclear power; whereas, today, launching a cyber attack that has global reach requires only some coding capability, a laptop, and an internet connection.

This new group, the Cyberspace Solarium Commission, will be made up of 13 members, putting cyber and national security experts, along with many Silicon Valley types, in the same room to debate, to think through, and to propose a comprehensive path forward to guide our cyber policy.

One of the reasons Ike's Solarium Commission worked so well was because there was urgency and focus. Under this Cyberspace Solarium Commission, there will be a deadline for the delivery of a comprehensive plan with blue sky freedom to reenvision all current bureaucracies and organizations across our cyber plan and response units within 1 year.

By September 1, 2019, this Commission would be delivering to both the President's Cabinet and to the defense and intelligence committees of the Congress a comprehensive plan to guide cyber security policymaking going forward.

We cannot continue to stand idly by waiting for a massive cyber attack to occur and then figure out how we will use that as a catalyst to begin future planning. We should be planning and prioritizing before the crisis. For 30 years, we haven't yet developed or committed to a serious strategy. Now is the time to act, and this NDAA represents one of the best innovations we have had; that we can set up this national Cyberspace Solarium Commission to report back, within 1 year, a comprehensive plan.

Thank you.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 6:39 p.m., adjourned until Thursday, June 14, 2018, at 9:30 a.m.