

did little practical good. This legislation provides greater assurances that never again will the United States follow that dark path of sacrificing our values for our short-term security needs. I thank Senator FEINSTEIN for her hard work on this vitally important issue.

Finally, this legislation contains a bipartisan compromise on how to address the challenge of the detention facility of Guantanamo Bay. President Obama has said from day one of his Presidency that he wants to close Guantanamo. But 6½ years into his Presidency, the administration has never provided a plan to do so. This legislation requires the administration to submit that plan. We are simply asking the executive branch to explain where it will hold those set for trial, how it will continue to detain dangerous terrorists pursuant to the laws of war, and how it will mitigate the risks of moving this population.

If the administration can provide answers to these basic questions to the satisfaction of the American people and their elected representatives, then congressional restrictions on the movement of these detainees will be lifted and the plan can be implemented. If the Congress does not approve the plan, nothing would change. The ban on domestic transfers would stay in force, and the certification standards for foreign transfers included in the NDAA would remain.

My friends, America has reached a key inflection point. The rules-based international order, which has been anchored by U.S. hard power for seven decades, is being seriously stressed, and with it the foundation of our security and prosperity. It does not have to be this way. We can choose a better future for ourselves, make the right decisions now, and set our Nation on a better course.

That is what this legislation is all about—living up to our constitutional duty to provide for the common defense, increasing the effectiveness of our military, and restoring America's global leadership. This legislation is a small step towards accomplishing these goals, but it is an important step we can take right now, together. We owe the brave men and women in uniform nothing less.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.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

Under the previous order, all postcloture time is expired.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM), the Senator from Utah (Mr. LEE), and the Senator from South Carolina (Mr. SCOTT).

Mr. DURBIN. I announce that the Senator from Missouri (Mrs. MCCASKILL), is necessarily absent.

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

The result was announced—yeas 71, nays 25, as follows:

[Rollcall Vote No. 215 Leg.]

YEAS—71

Alexander	Ernst	Murray
Ayotte	Feinstein	Perdue
Barrasso	Fischer	Peters
Bennet	Flake	Portman
Blumenthal	Gardner	Risch
Blunt	Grassley	Roberts
Boozman	Hatch	Rounds
Burr	Heinrich	Rubio
Cantwell	Heitkamp	Sasse
Capito	Heller	Schatz
Carper	Hoeven	Sessions
Casey	Inhofe	Shaheen
Cassidy	Isakson	Shelby
Coats	Johnson	Stabenow
Cochran	Kaine	Sullivan
Collins	King	Tester
Cooms	Kirk	Thune
Corker	Klobuchar	Tillis
Cornyn	Lankford	Toomey
Cotton	McCain	Udall
Crapo	McConnell	Vitter
Daines	Moran	Warner
Donnelly	Murkowski	Wicker
Enzi	Murphy	

NAYS—25

Baldwin	Hirono	Reed
Booker	Leahy	Reid
Boxer	Manchin	Sanders
Brown	Markey	Schumer
Cardin	Menendez	Warren
Cruz	Merkley	Whitehouse
Durbin	Mikulski	Wyden
Franken	Nelson	
Gillibrand	Paul	

NOT VOTING—4

Graham	McCaskill
Lee	Scott

The bill (H.R. 1735), as amended, was passed.

CLOTURE MOTION

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I understand the Democratic leader would like to make some remarks.

The PRESIDING OFFICER. The minority leader.

Mr. REID. To respond to the majority leader, I have nothing to say until I hear what he has to say.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, America asks a lot of the men and women of its voluntary military force: to undertake dangerous missions in far-off lands, to spend months and

years away from their families, and always to sacrifice so that we might live in freedom.

These brave men and women do it all without reservation. They ask precious little in return, save for the resources they need to do the job and the support they need to look after their families. It is the least we can do, to provide for them. We just voted 71 to 25 for a bill that promises a lot of things for our men and women.

It would be very cruel indeed for any Senator who just made that promise to turn around now and block the rest of us from fulfilling the pledge to our troops. Passing the legislation before us is a way to fulfill the promise we just made, 71 to 25. That is why nearly every Democrat voted to pass it in committee, 27 to 3. That is why Democrats have hailed this bill as a win-win-win and a victory for each of their States.

They know it gives President Obama the same level of funding he asked for. They know it adheres to a bipartisan spending level that both parties agreed to, that President Obama signed into law, and that President Obama campaigned on in the last Presidential election.

Now our friends face a choice.

Option 1: Allow the promise just made to our troops to be fulfilled by voting for a bill they can't stop praising.

Option 2: Break the promise they just made by killing a bill they claim to love, all in the service of some unrelated and completely incomprehensible partisan plan.

It is the road of bipartisanship and support for our troops that brought us this far. We shouldn't let partisan politics trip us up now. We don't have to—not if commonsense Democrats continue to prioritize pay raises and medical care for our troops over some unrelated gambit to funnel more cash to bureaucracies such as the IRS and the EPA.

I will just leave my colleagues with something one of our Democratic friends said of men and women in the military. Here is what he had to say: "Just as we called on them to protect us, they are calling on us to provide them with the resources they need. . . ."

They are. Senators just promised they would, 71 to 25. They just made the promise. So now they shouldn't block us from fulfilling that promise by preventing us from getting on the Defense appropriations measure.

The PRESIDING OFFICER. The minority leader.

Mr. REID. Mr. President, the bill that just passed the Senate, the Defense authorization bill, has 52 Republicans voting to fix sequestration. Only 2 voted against it. We are all in favor of fixing the sequester.

My friend, the Republican leader, is talking in a dreamland.

Ash Carter, the Secretary of Defense, is a very good man. We are so fortunate

that he has dedicated his life to public service. He is a scientist and has worked for the defense establishment for a while in public service. He, the Secretary of Defense, says this bill my friend talks about is a bad bill. It doesn't help the military. This funny funding that is in this bill is not good. The chairman of the Armed Services Committee was on the floor this morning talking about that.

It is important that we solve the sequester problem. It is not good, but we cannot, and we should not, fix one part of our government and not the other part.

We support the Pentagon. We support the troops. Of course we do. But as the Secretary of Defense has so implored us, don't do this to the military. To have a secure nation involves more than the people in the armed services. The people in the armed services, while their families are at home, want them to be protected as they travel to an airport. The TSA needs to be funded, the FBI needs to be funded, the Drug Enforcement Administration needs to be funded, Homeland Security needs to be funded, and in the process, we need to fund education properly. We need to fund research for health. We need to make sure the National Institutes of Health are not whacked again with sequestration the way they were the first time. They lost \$1.6 billion. They have never recovered from that. They have never gotten their money back. Do we want to give them another sequestration? Of course we don't.

We have until this fiscal year ends in the fall to work this out, and that is what we should do. We are legislators. I agree with the 52 Republicans who said we should fix sequestration, but this bill only fixes sequestration for the Department of Defense.

Let's sit down and do what we, as legislators, are supposed to do. Legislation is the art of compromise. We are not going to get everything we want, but the Republicans shouldn't get everything they want, and we should not fund this government by using funny money for defense and using the really unfunny money on the rest of the government. It is unfair, and above all the Republican Party, which used to stand for fiscal responsibility, should get fiscally responsible and help us work this out.

We are ready and willing at any time to sit down and work through this, and we need to start that now.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, as the Democratic leader reminded me, on a virtually daily basis for 8 years, the majority leader always gets the last word.

Here is the issue, I say to my friends on the other side: You just voted for the troops. And now you are going to vote against them? Are you going to vote against the troops right after you voted for the troops? That is the fundamental question before us in deciding

whether to go to the Defense appropriations measure.

The PRESIDING OFFICER. The minority leader.

Mr. REID. Mr. President, I know my friend gets the last word, and I am looking forward to his last word. However, the logic of my friend is illogical. We stand on our record, and we will continue in that fashion.

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

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to H.R. 2685, an act making appropriations for the Department of Defense for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, John Cornyn, James Lankford, Roger F. Wicker, John Barrasso, Thom Tillis, Steve Daines, Tom Cotton, Kelly Ayotte, Lindsey Graham, John McCain, John Thune, Jerry Moran, Richard C. Shelby, Daniel Coats, Jeff Flake, Rob Portman.

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

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 2685, an act making appropriations for the Department of Defense for the fiscal year ending September 30, 2016, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Indiana (Mr. COATS), the Senator from South Carolina (Mr. GRAHAM), the Senator from Utah (Mr. LEE), and the Senator from South Carolina (Mr. SCOTT).

Mr. DURBIN. I announce that the Senator from Missouri (Mrs. MCCASKILL) is necessarily absent.

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

The yeas and nays resulted—yeas 50, nays 45, as follows:

[Rollcall Vote No. 216 Leg.]

#### YEAS—50

Alexander  
Ayotte  
Barrasso  
Blunt  
Boozman  
Burr  
Capito  
Cassidy  
Cochran  
Collins  
Corker  
Cornyn  
Cotton  
Crapo  
Cruz  
Daines  
Donnelly

Enzi  
Ernst  
Fischer  
Flake  
Gardner  
Grassley  
Hatch  
Heller  
Hoeven  
Inhofe  
Isakson  
Johnson  
Kirk  
Lankford  
McCain  
Moran  
Murkowski

Paul  
Perdue  
Portman  
Risch  
Roberts  
Rounds  
Rubio  
Sasse  
Sessions  
Shelby  
Sullivan  
Thune  
Tillis  
Toomey  
Vitter  
Wicker

#### NAYS—45

Baldwin  
Bennet  
Blumenthal  
Booker  
Boxer  
Brown  
Cantwell  
Cardin  
Carper  
Casey  
Coons  
Durbin  
Feinstein  
Franken  
Gillibrand

Heinrich  
Heitkamp  
Hirono  
Kaine  
King  
Klobuchar  
Leahy  
Manchin  
Markey  
McConnell  
Menendez  
Merkley  
Mikulski  
Murphy  
Murray

Nelson  
Peters  
Reed  
Reid  
Sanders  
Schatz  
Schumer  
Shaheen  
Stabenow  
Tester  
Udall  
Warner  
Warren  
Whitehouse  
Wyden

#### NOT VOTING—5

Coats  
Graham

Lee  
McCaskill

Scott

The PRESIDING OFFICER. On this vote on the motion to invoke cloture on the motion to proceed to H.R. 2685, the yeas are 50, the nays are 45.

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

The majority leader.

Mr. MCCONNELL. Mr. President, I enter a motion to reconsider the vote.

The PRESIDING OFFICER. The motion is entered.

#### MORNING BUSINESS

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

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

The Senator from Maryland.

(The remarks of Mr. CARDIN pertaining to the submission of S. Res. 204 are printed in today's RECORD under "Submitted Resolutions.")

Mr. CARDIN. 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.

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

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

#### 3RD ANNIVERSARY OF DACA PROGRAM

Mrs. MURRAY. Mr. President, I rise today to speak about a constituent of mine. Ilse is a 23-year-old graduate of the University of Washington who works at the Seattle Children's Hospital and is studying to become a nurse. She has faced a lot of challenges in her 23 years, not the least of which was being diagnosed with cancer when she was a teenager, going through treatment, and working to put herself through college.

And if the outstanding costs of cancer treatment weren't difficult enough for her, Ilse was brought to the United States by her mother when she was 6 months old as an undocumented immigrant, which makes navigating our health care system even harder.