

MURRAY, Mr. DURBIN, Mr. SCHUMER, Mr. UDALL, Mr. HEINRICH, Mr. BOOKER, Mr. GARDNER, Mr. CRUZ, and Mr. FRANKEN) submitted the following resolution; which was considered and agreed to:

S. RES. 455

Whereas May 5, or “Cinco de Mayo” in Spanish, is celebrated each year as a date of importance by Mexican and Mexican-American communities;

Whereas the Cinco de Mayo holiday commemorates May 5, 1862, the date on which Mexicans defeated the French at the Battle of Puebla, 1 of the many battles that the Mexican people won in their long and brave fight for independence, freedom, and democracy;

Whereas the victory of Mexico over France at the Battle of Puebla represented a historic triumph for the Mexican government during the Franco-Mexican war of 1861-1867 and bolstered the resistance movement;

Whereas the success of Mexico at the Battle of Puebla reinvigorated the spirits of the Mexican people and provided a renewed sense of unity and strength;

Whereas the French army, which had not experienced defeat against any of the finest troops of Europe in more than half a century, sustained a disastrous loss at the hands of an outnumbered and ill-equipped, but highly spirited and courageous, Mexican army;

Whereas the courageous spirit that Mexican General Ignacio Zaragoza and his men displayed during that historic battle can never be forgotten;

Whereas in a larger sense, Cinco de Mayo symbolizes the right of a free people to self-determination, just as Benito Juarez, the president of Mexico during the Battle of Puebla, once said, “El respeto al derecho ajeno es la paz”, meaning “respect for the rights of others is peace”;

Whereas the sacrifice of Mexican fighters was instrumental in keeping Mexico from falling under European domination while, in the United States, the Union Army battled Confederate forces in the Civil War;

Whereas Cinco de Mayo serves as a reminder—

(1) that the foundation of the United States was built by individuals from many countries and diverse cultures who were willing to fight and die for freedom; and

(2) of the close ties between the people of Mexico and the people of the United States;

Whereas Cinco de Mayo encourages the celebration of a legacy of strong leaders and a sense of vibrancy in communities; and

Whereas Cinco de Mayo serves as a reminder to provide more opportunities for future generations: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the historic struggle of the people of Mexico for independence and freedom, which Cinco de Mayo commemorates; and

(2) encourages the people of the United States to observe Cinco de Mayo with appropriate ceremonies and activities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3884. Mr. GRASSLEY (for himself, Mr. DURBIN, Mr. CORNYN, Mr. WHITEHOUSE, Mr. LEE, Mr. SCHUMER, Mr. GRAHAM, Mr. LEAHY, Mr. BOOKER, Mr. COCHRAN, Mr. BENNET, Mr. KIRK, Mr. MANCHIN, Mr. SULLIVAN, Mr. DAINES, Ms. MIKULSKI, and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill S. 2123, to reform sentencing laws and correctional institutions, and for other purposes; which was ordered to lie on the table.

SA 3885. Mr. McCONNELL (for Mr. MENENDEZ) proposed an amendment to the bill S. 1875, to support enhanced accountability for United States assistance to Afghanistan, and for other purposes.

SA 3886. Mr. McCONNELL (for Mr. CORKER) proposed an amendment to the bill S. 1635, to authorize the Department of State for fiscal year 2016, and for other purposes.

TEXT OF AMENDMENTS

SA 3884. Mr. GRASSLEY (for himself, Mr. DURBIN, Mr. CORNYN, Mr. WHITEHOUSE, Mr. LEE, Mr. SCHUMER, Mr. GRAHAM, Mr. LEAHY, Mr. BOOKER, Mr. COCHRAN, Mr. BENNET, Mr. KIRK, Mr. MANCHIN, Mr. SULLIVAN, Mr. DAINES, Ms. MIKULSKI, and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill S. 2123, to reform sentencing laws and correctional institutions, and for other purposes; which was ordered to lie on the table; as follows:

On page 143, line 12, insert “and for which the offender’s release from any term of imprisonment was within 15 years of the commencement of the instant offense” before the period.

On page 146, line 11, insert “a term of imprisonment may be reduced only if the defendant has not been convicted of any serious violent felony and” after “offense,”.

On page 146, line 12, strike “may”.

On page 146, beginning on line 15, strike “, reduce the term of imprisonment for the offense”.

On page 146, line 21, strike “if such” and insert “finds”.

On page 147, line 7, insert “, including a review of any prior criminal conduct or any other relevant information from Federal, State, and local authorities” after “section”.

On page 147, strike lines 11 through 20, and insert the following:

(1) in subsection (f)—

(A) in the matter preceding paragraph (1)—

(i) by striking “or section 1010” and inserting “, section 1010”; and

(ii) by inserting “, or section 70503 or 70506 of title 46” after “963”;

(B) by striking paragraph (1) and inserting the following:

“(1) the defendant does not have—  
“(A) more than 4 criminal history points, excluding any criminal history points resulting from a 1-point offense, as determined under the sentencing guidelines;

“(B) a prior 3-point offense, as determined under the sentencing guidelines; and

“(C) a prior 2-point violent offense, as determined under the sentencing guidelines;”;

and

(C) after paragraph (5), by inserting the following:

“Information disclosed by a defendant under this subsection may not be used to enhance the sentence of the defendant unless the information relates to a violent offense.”; and

On page 148, strike lines 15 through 25 and insert the following:

“(h) DEFINITION OF VIOLENT OFFENSE.—As used in this section, the term ‘violent offense’ means a ‘crime of violence’, as defined in section 16, that is punishable by imprisonment.”.

On page 149, line 13, strike “or section” and insert “, section”.

On page 149, line 14, insert “, or section 70503 or 70506 of title 46,” after “963”.

On page 150, strike lines 7 through 14 and insert the following:

“(3) the defendant was not an organizer, leader, manager, or supervisor of other par-

ticipants in the offense, as determined under the sentencing guidelines;

On page 150, line 20, insert “, unless the defendant was a minor or minimal participant, as determined under the sentencing guidelines” before the semicolon.

On page 151, between lines 8 and 9, insert the following:

“Information disclosed by a defendant under this subsection may not be used to enhance the sentence of the defendant unless the information relates to a violent offense.

On page 152, strike lines 10 through 20 and insert the following: “United States Code, is amended, in the matter preceding clause (i), by striking ‘second or subsequent conviction under this subsection’ and inserting ‘violation of this subsection that occurs after a prior conviction under this subsection has become final’.”.

On page 153, line 8, insert “a term of imprisonment may be reduced only if the instant violation was for a drug trafficking offense that did not involve a violation of clause (ii) or (iii) of section 924(c)(1)(A) of title 18, United States Code, the defendant has not otherwise been convicted of any serious violent felony, and” after “offense,”.

On page 153, line 9, strike “may”.

On page 153, beginning on line 12, strike “, reduce the term of imprisonment for the offense”.

On page 153, line 18, strike “if such” and insert “finds”.

On page 154, line 4, insert “, including a review of any prior criminal conduct or any other relevant information from Federal, State, and local authorities” after “section”.

Beginning on page 154, strike line 5 and all that follows through page 155, line 23.

On page 156, line 1, strike “106” and insert “105”.

On page 157, line 1, strike “107” and insert “106”.

On page 158, line 1, strike “108” and insert “107”.

On page 162, line 3, strike “109” and insert “108”.

On page 162, line 25, insert “and organized by Federal district where applicable” after “paragraph (1)”.

On page 163, line 5, insert “, including referrals from investigative agencies of the Department of Justice,” after “prosecution”.

On page 166, between lines 12 and 13, insert the following:

SEC. 109. FENTANYL.

(a) CONTROLLED SUBSTANCES ACT AMENDMENT.—Section 401(b) of the Controlled Substances Act (21 U.S.C. 841(b)) is amended by adding at the end the following:

“(8)(A) In the case of a violation of subsection (a), if the mixture or substance containing a detectable amount of heroin also contains a detectable amount of N-phenyl-N-[ 1-(2-phenylethyl) -4-piperidinyl] propanamide or any analogue of N-phenyl-N-[ 1-(2-phenylethyl) -4-piperidinyl] propanamide, then a court shall—

“(i) not impose a term of probation; and

“(ii) in addition to the term of punishment for the violation of this section, impose a term of imprisonment not to exceed 5 years.

“(B) A term of imprisonment imposed on a person under subparagraph (A)(ii) may not run concurrently with any term of imprisonment imposed on the person under any other provision of law.

“(9)(A) In the case of a violation of subsection (a), if the mixture or substance containing a detectable amount of N-phenyl-N-[ 1-(2-phenylethyl) -4-piperidinyl] propanamide or any analogue of N-phenyl-N-[ 1-(2-phenylethyl) -4-piperidinyl] propanamide was represented to be or sold as heroin, then a court shall—

“(i) not impose a term of probation; and

“(ii) in addition to the term of punishment for the violation of this section, impose a term of imprisonment not to exceed 5 years.

“(B) A term of imprisonment imposed on a person under subparagraph (A)(ii) may not run concurrently with any term of imprisonment imposed on the person under any other provision of law.”

(b) CONTROLLED SUBSTANCES IMPORT AND EXPORT ACT AMENDMENT.—Section 1010(b) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)) is amended by adding at the end the following:

“(8)(A) In the case of a violation of subsection (a), if the mixture or substance containing a detectable amount of heroin also contains a detectable amount of N-phenyl-N-[1-(2-phenylethyl) 4-piperidinyl] propanamide or any analogue of N-phenyl-N-[1-(2-phenylethyl) 4-piperidinyl] propanamide, then a court shall—

“(i) not impose a term of probation; and

“(ii) in addition to the term of punishment for the violation of this section, impose a term of imprisonment not to exceed 5 years.

“(B) A term of imprisonment imposed on a person under subparagraph (A)(ii) may not run concurrently with any term of imprisonment imposed on the person under any other provision of law.

“(9)(A) In the case of a violation of subsection (a), if the mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl) 4-piperidinyl] propanamide or any analogue of N-phenyl-N-[1-(2-phenylethyl) 4-piperidinyl] propanamide was represented to be or sold as heroin, then a court shall—

“(i) not impose a term of probation; and

“(ii) in addition to the term of punishment for the violation of this section, impose a term of imprisonment not to exceed 5 years.

“(B) A term of imprisonment imposed on a person under subparagraph (A)(ii) may not run concurrently with any term of imprisonment imposed on the person under any other provision of law.”

On page 170, beginning on line 1, strike “Private entities that will, on a volunteer basis” and insert “Nonprofit or other private organizations, including faith-based and community-based organizations, that will”.

On page 178, strike line 21 and all that follows through page 179, line 10 and insert the following:

“(A) ELIGIBLE PRISONER.—The term ‘eligible prisoner’ means—

“(i) an individual who has been sentenced to a term of imprisonment pursuant to a conviction for a Federal criminal offense; or

“(ii) an individual within the custody of the Bureau of Prisons, including an individual in a Bureau of Prisons contracted facility.”

On page 191, line 21, strike “In” and insert “Notwithstanding the 10 percent limit described in paragraph (1) and in”.

On page 203, line 8, strike “title” and insert “Act”.

On page 203, line 9, strike “title” and insert “Act”.

On page 203, line 24, strike “and”.

On page 204, line 5, strike the period and insert “; and”.

On page 204, between lines 5 and 6, insert the following:

(iv) a description of how the reduced expenditures on Federal corrections and the budgetary savings resulting from this Act, and the amendments made by this Act, are currently being used and will be used to—

(I) increase investment in law enforcement and crime prevention to combat gangs of national significance and high-level drug traffickers through the High Intensity Drug Trafficking Areas program and other task forces;

(II) hire, train, and equip law enforcement officers and prosecutors; and

(III) promote crime reduction programs using evidence-based practices and strategic planning to help reduce crime and criminal recidivism.

On page 226, line 17, insert “and the Secretary of Labor” after “Affairs”.

On page 227, line 3, insert “and the Secretary of Labor” after “Affairs”.

On page 227, line 8, insert “and the Secretary of Labor” after “Affairs”.

On page 227, line 12, insert “AND DOL” after “VA”.

On page 227, line 13, insert “and the Department of Labor” after “Affairs”.

**SA 3885.** Mr. MCCONNELL (for Mr. MENENDEZ) proposed an amendment to the bill S. 1875, to support enhanced accountability for United States assistance to Afghanistan, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Afghanistan Accountability Act of 2015”.

**SEC. 2. DEFINED TERM.**

In this Act, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Appropriations of the Senate;

(3) the Committee on Armed Services of the Senate;

(4) the Select Committee on Intelligence of the Senate;

(5) the Committee on Foreign Affairs of the House of Representatives;

(6) the Committee on Appropriations of the House of Representatives;

(7) the Committee on Armed Services of the House of Representatives; and

(8) the Permanent Select Committee on Intelligence of the House of Representatives.

**TITLE I—EFFECTIVE AFGHANISTAN ASSISTANCE AND ACCOUNTABILITY**

**SEC. 101. FINDINGS.**

Congress makes the following findings:

(1) Following the terrorist attacks of September 11, 2001, the United States launched Operation Enduring Freedom, and since then the United States Armed Forces and the Afghan National Security Forces have made countless sacrifices in defending Afghanistan against the threat of terrorism and insurgency and by extension the United States and the wider world.

(2) Since 2001, the United States has worked with a broad coalition of nations that has helped to dramatically improve numerous development indicators within Afghanistan, including—

(A) a dramatic increase in the number of girls enrolled in primary education from an estimated 5,000 under the Taliban to 2,400,000 girls as of 2010;

(B) an increase in the percentage of individuals above the poverty line from 25.4 percent in 2002 to 35.8 percent in 2011;

(C) an increase in the percentage of individuals who now have access to an improved water source in rural areas from 22 percent in 2001 to 56 percent in 2012;

(D) a precipitous decline in maternal mortality from 1200/100,000 births in 1995 to 400/100,000 births in 2013; and

(E) an expansion of women’s rights.

(3) Numerous research studies have shown that government corruption is a driver of conflict and particularly so in Afghanistan, where it has served as a powerful recruitment tool for the Taliban.

(4) Since the first democratic transfer of power in the history of Afghanistan in 2014, President Ashraf Ghani and Chief Executive

Officer Abdullah Abdullah have led a National Unity Government that has identified key security and development challenges in order to make Afghanistan a full and productive member of the community of democratic nations.

(5) The National Unity Government has renewed specific focus on addressing corruption within the country as a driver of instability, including reopening a fraud case involving high level officials and the Kabul Bank that resulted in the disappearance of an estimated \$1,000,000,000.

(6) In its report “Realizing Self Reliance: Commitments to Reform and Renewed Partnership”, the Government of Afghanistan committed to the international community in London in December 2014, to address the “main drivers of corruption in Afghanistan,” including “collusive procurement practices, weak rule of law and abuse of the legal system, and arbitrary regulations that build in incentives to pay bribes”. Government of Afghanistan commitments included—

(A) forming an independent anti-corruption commission with time-bound prosecutorial powers;

(B) implementing recommendations by the Monitoring and Evaluation Committee on a national action plan to reduce corruption;

(C) requiring all government officials to provide public declarations of their assets;

(D) meeting all Financial Action Task Force (FATF) requirements to further limit and investigate illicit fund flows;

(E) forming a national procurement board staffed by qualified professionals who will manage all large value contracts using internationally recognized standards and procedures; and

(F) delineating the roles, responsibilities, and jurisdiction of anti-corruption institutions such as the High Office of Oversight and Anti-Corruption (HOO) and the Attorney General to restrict them to focus on their core function of enforcement instead of oversight.

(7) The December 2014 Government of Afghanistan report “Realizing Self Reliance: Commitments to Reform and Renewed Partnership”, expressed a commitment to “enhancing productivity, growth and revenues” by—

(A) developing natural resources through public-private partnerships that bring in rents, taxes, and profits;

(B) removing obstacles to trade and transit and ending smuggling that diverts revenue away from the treasury;

(C) negotiating expanded market access in regional and global markets;

(D) gradually formalizing the informal economy and changing the compact between the state and citizens to one where citizens pay taxes for services they tangibly benefit from; and

(E) transferring government payments electronically to eliminate losses in transit.

(8) In 2012, international donors and the Government of Afghanistan agreed to the Tokyo Mutual Accountability Framework (“TMAF”) which committed to provide \$4,000,000,000 in economic assistance per year from 2012-2015 and sustain assistance at or near the same levels of the past decade through 2017, while the Government of Afghanistan committed to meet benchmarks related to democracy and governance, public finance and revenue generation, and economic development.

(9) At the end of 2014, under the TMAF, the Government of Afghanistan had fallen short in meeting benchmarks related to: revenue collection, the enhancement of women’s rights, corruption and the illicit economy, and the protection of human rights.

(10) In the Joint Declaration following the London Conference on Afghanistan of December 4, 2014, the international community and the new Government of Afghanistan agreed to refresh the existing TMAF and associated commitments at the 2015 Senior Officials Meeting based on the reform program and priorities as laid out by the Government of Afghanistan.

(11) Afghanistan faces great difficulties in making progress in countering illegal narcotics and remains the leading global illicit opium poppy producer.

(12) The illegal narcotics trade results in the transfer of illicit funds and encourages and also requires corrupt financial transactions, and, if minimized, could have beneficial impacts on trade and reduce overall levels of corruption.

(13) The international community has endorsed Afghanistan's longer-term development following the war and identified the criticality of the "transformation decade" from 2015-2024 outlined by the Government of Afghanistan and has acknowledged that the Government of Afghanistan will seek continued international assistance in order for it to become a stable, self-sustained partner in the community of democratic countries.

(14) As development assistance from the United States and broader international community gradually diminishes in the coming years, the accelerated development of the Afghan private sector and governing institutions becomes even more necessary to maintain the gains of the past decade and to enhance our mutual goals of Afghan security and stability.

(15) While Afghan National Security Forces (ANSF) have taken over lead combat responsibilities, they continue to operate in close coordination with, and with significant resources from the international community, under the Resolute Support Mission and in coordination with ongoing counter-terrorism operations. Development of civilian oversight institutions for the security sector has lagged. Such oversight will be important for ensuring that Afghan security forces are accountable and do not abuse their powers.

**SEC. 102. SENSE OF CONGRESS ON UNITED STATES ASSISTANCE AND ACCOUNTABILITY IN AFGHANISTAN.**

It is the sense of Congress that—

(1) the National Unity Government of Afghanistan has made a substantial commitment to reform that should be supported but also subject to heightened scrutiny by the Afghan people and international donors given past failures and persistent challenges in the country;

(2) Afghanistan is at a critical inflection point, having gone through political and security transitions as the international community draws down its military forces. The international community should work closely with the new government in supporting development priorities for the rest of the transformation decade that translate into producing concrete development results for the Afghan people;

(3) sustainable accountability and reform of Afghan governing institutions will not come from the international community but from a commitment by the Government of Afghanistan and society reinforced by domestic watchdog groups and internal government accountability monitoring mechanisms;

(4) the United States Government should deepen its dialogue on anti-corruption efforts with the Government of Afghanistan to develop effective oversight mechanisms to ensure large donor contracts do not contribute to corruption;

(5) the United States should encourage Afghanistan's participation in the Open Government Partnership, a multilateral initia-

tive in which government and civil society collaborate to promote transparency, fight corruption, and use technologies to strengthen government;

(6) the United States should urge the Government of Afghanistan to build upon existing anti-money laundering and countering terrorism financing legislation by developing effective regulations and institutions to implement reforms;

(7) the United States should urge the Government of Afghanistan to broaden personal asset disclosures to include members of the covered officials' immediate families or households and develop effective mechanisms for verifying disclosed information;

(8) in the event of future egregious cases of corruption in Afghanistan, the President should impose visa bans and asset freezes on those responsible, especially in instances where United States assistance is stolen or misappropriated;

(9) the United States Government should cooperate with the Government of Afghanistan and with international donors to develop a series of strict accountability benchmarks based on the refreshed Tokyo Mutual Accountability Framework and the Government of Afghanistan's own "Realizing Self Reliance" report commitments that will condition levels of assistance and the amount of on-budget assistance on anti-corruption performance acceptable to donors;

(10) the United States should support the Afghan Parliament to refine and strengthen the legal framework of anti-corruption and anti-money laundering laws to address beneficial ownership, countering bid-rigging and other contracting and procurement fraud, criminal investigations of financial transactions, complementary banks, personal asset or other financial declarations and disclosures as required by law or regulation, efforts to meet FATF requirements, and other areas to further inhibit the illicit flow of money;

(11) the commitment by the Government of Afghanistan to strengthen its nascent private sector should be supported and sustained using the full array of tools of the United States, including technical and legal assistance;

(12) United States assistance to the Afghan judicial system and other Afghan legal institutions that enable and empower private sector development by instilling greater investor confidence should be prioritized to ensure the protection of private property, the sanctity of contracts, and effective dispute resolution mechanisms for businesses and investors;

(13) the United States Government should identify opportunities for the United States to introduce trade facilitation as part of the economic relationship between the 2 countries;

(14) the Governments of the United States and Afghanistan should work together to identify more Afghan products and raw materials to be included on the United States Generalized System of Preferences (GSP) treatment list;

(15) the American University of Afghanistan is an emerging pillar in Afghanistan's education system and has provided a unique opportunity for higher education for Afghan youth, especially women; and

(16) the United States should encourage the Government of Afghanistan to implement with urgency electoral reforms in accordance with the "Agreement between the Two Campaign Teams Regarding the Structure of the National Unity Government".

**SEC. 103. UNITED STATES ASSISTANCE POLICY FOR AFGHANISTAN.**

It is the policy of the United States—

(1) to conduct assistance programs that result in highly effective, impact driven devel-

opment outcomes for the people of Afghanistan while maintaining the highest standards of accountability for United States taxpayers;

(2) that all United States Government agencies and entities working in Afghanistan coordinate, plan, and regularly review plans in a coherent, well-informed process to develop United States policy and assistance programming;

(3) to support the development of effective Government of Afghanistan oversight institutions and domestic watchdog civil society organizations;

(4) subject to significant evident progress made in meeting TMAF accountability and improved governance as it relates to development, to abide by resource commitments made as part of the Tokyo Mutual Accountability Framework;

(5) to provide incentivized assistance to Afghanistan's governing institutions based upon verifiable and measurable development outcomes and on-budget assistance based upon demonstrated capacity improvements that are mutually agreed to by the Government of Afghanistan and Government of the United States;

(6) to support the development of democratic governing institutions in Afghanistan, promote the development of a growing private sector, and strengthen civil society in Afghanistan;

(7) to recognize that Afghanistan's sustainable development is grounded in growing the regional economy, and to support the efforts of the Government and people of Afghanistan to build strong regional economic connectivity with the country's neighbors;

(8) to support, where appropriate, proven programs that promote private sector job creation in Afghanistan; and

(9) that assistance programs in direct support of Afghan women and girls remain a priority for the United States, including specific efforts to support women and girls education, meaningful engagement in political and reconciliation processes, training and recruitment of Afghan female police and security forces, advancement of women's legal rights, economic development, and efforts to increase the overall health and well-being of Afghan women and girls.

**SEC. 104. EFFECTIVE AFGHANISTAN ASSISTANCE AND ACCOUNTABILITY.**

(a) STRATEGY TO COMBAT CORRUPTION IN AFGHANISTAN.—

(1) IN GENERAL.—The Secretary of State, in consultation with the Secretary of Defense and the Government of Afghanistan, shall develop a comprehensive interagency strategy for United States assistance that is sustainable and is not counter-productive to combating corruption in Afghanistan.

(2) ELEMENTS.—The strategy developed under paragraph (1) should include the following elements:

(A) Multi-year goals, objectives, and measurable outcomes for targeted activities to strengthen selected Afghan official institutions and nongovernmental organizations to prevent, investigate, deter, and prosecute corruption.

(B) An operational plan incorporating all United States Government programming to implement the anti-corruption goals and objectives.

(C) A summary of United States efforts to coordinate with other international donors to ensure that anti-corruption advice or programming provided to the Government of Afghanistan is not contradictory.

(D) A focus on the development of governmental and nongovernmental Afghan capacity to ensure accountability and combat corruption.

(E) An evaluation of Afghan civil society anti-corruption capacities that includes

their ability to use technology to combat corruption.

(b) **AFGHANISTAN ANTI-CORRUPTION FUND.**—Subject to the availability of funds, the President is authorized to provide technical and financial assistance to official Government of Afghanistan anti-corruption and audit institutions and Afghan civil society watchdog groups in support of the anti-corruption priorities identified by the Government of Afghanistan and the United States Government. Subject to careful consideration by the United States Government of the legitimacy, efficacy, and direct impact and influence of such entities and individuals, offices, and organizations that are funded under this subsection could include—

- (1) the Supreme Audit Office;
- (2) the Attorney General;
- (3) the Ministry of Justice;
- (4) Inspectors General within key ministries;
- (5) the Independent Joint Anti-Corruption Monitoring and Evaluation Committee (MEC);
- (6) the major crimes task force, Technical Investigative Unit, and the Sensitive Investigative Unit;
- (7) the High Office of Oversight and Anti-Corruption;
- (8) the Anti-Corruption Tribunal;
- (9) the Financial Transactions and Reports Analysis Center of Afghanistan;
- (10) the proposed procurement board; and
- (11) civil society organizations engaged in oversight, anti-corruption advocacy, and support of good governance.

(c) **PROMOTION OF HUMAN RIGHTS, PRESS FREEDOM, AND SECURITY SECTOR ACCOUNTABILITY.**—

(1) **IN GENERAL.**—Subject to the availability of funds, the Secretary of State, in consultation with the Secretary of Defense, is authorized to provide support for efforts of the Government of Afghanistan to improve oversight and accountability of the Afghan National Security Forces, including the Afghan National Police, and Afghan local police, and strengthen Afghan civil society and investigative journalists to provide watchdog oversight of these institutions. Subject to due consideration of the legitimacy, efficacy, and direct impact and influence of such entities and individuals, these efforts could include—

(A) supporting the ANSF to strengthen the capacity, independence, and power of its internal Inspector General to collect and investigate all credible reports of abuse by armed forces;

(B) supporting the Office of the Attorney General and the Ministries of Defense and Interior to be better capable to investigate and, if appropriate, criminally prosecute police, military, intelligence, and militia personnel, regardless of rank, found responsible for human rights abuses and war crimes;

(C) considering establishing a special independent mechanism to investigate government officials and security force officers implicated in abuses;

(D) supporting the Ministry of Interior to establish a centralized register of all detainees held in police and National Directorate of Security custody, and ensure that it is accessible to independent monitors and is updated regularly and in a transparent manner;

(E) supporting implementation of the Access to Information Law and the 2009 Mass Media Law, particularly provisions of the latter that would disband the Media Violations Investigation Commission and replace it with a Mass Media Commission;

(F) supporting the Attorney General's Office to undertake prompt, impartial, and thorough investigations into all attacks on journalists and media organizations and bring prosecutions as appropriate; and

(G) supporting the further establishment of civil society organizations to provide essential “watchdog” oversight of the police and armed forces; as well as efforts to strengthen and improve coordination among civil society organizations, such as the Afghan Independent Human Rights Commission.

#### SEC. 105. REPORTS.

(a) **REPORTING ON CORRUPTION IN AFGHANISTAN.**—Not later than 1 year after the date of the enactment of this Act, and annually thereafter through 2024, the Secretary of State shall submit to the appropriate congressional committees a report listing each individual who the President determines, based on credible evidence—

(1) is a Government of Afghanistan official, a senior associate, or close relative of such an official, who is responsible for, or complicit in, ordering, controlling, or otherwise directing, acts of significant corruption, including the expropriation of private or public assets for personal gain, corruption related to government contracts or the extraction of natural resources, bribery, or the facilitation or transfer of the proceeds of corruption to foreign jurisdictions; or

(2) has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, an activity described above.

(b) **REPORT ON CIVILIAN-MILITARY ASSISTANCE EFFORTS IN AFGHANISTAN.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to the appropriate congressional committees that describes civilian-military assistance efforts in Afghanistan.

(2) **ELEMENTS.**—The report required under paragraph (1) shall include the following elements:

(A) A description of lessons learned from conducting development programming in Afghanistan to include recommendations on how to improve coordination between United States development agencies and the United States Armed Forces.

(B) An assessment of the ability of the United States Agency for International Development to advance development goals within Afghanistan, operating alongside providers of United States military assistance.

(C) An assessment of whether funding under the Commander's Emergency Response Program achieved the program's counter-insurgency goals, including force protection, and whether this program had any long term development impact, including any negative unintended consequences.

**SA 3886.** Mr. McCONNELL (for Mr. CORKER) proposed an amendment to the bill S. 1635, to authorize the Department of State for fiscal year 2016, and for other purposes; as follows:

On page 16, strike lines 10 through 12 and insert the following: “the majority leader of the Senate, the minority leader of the Senate, the Speaker of the House of Representatives, the majority leader of the House of Representatives, the minority leader of the House of Representatives, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives that—”.

On page 30, lines 9 and 10, strike “in the event of a comprehensive nuclear agreement with Iran”.

On page 30, lines 20 and 21, strike “entering into a comprehensive nuclear agreement with Iran” and insert “the date of the enactment of this Act”.

On page 30, line 23, insert “the majority leader, the minority leader,” after “(1)”.

On page 31, line 1, insert “the Speaker, the majority leader, the minority leader,” after “(2)”.

Beginning on page 32, lines 24 and 25, strike “, as appropriate” and all that follows through “the United States” on page 33, line 1, and insert “with other United States Government agencies, including the intelligence community, and, as appropriate, the United States”.

Strike section 122.

On page 47, lines 14 and 15, strike “and the Committee on Foreign Affairs of the House of Representatives” and insert “, the Select Committee on Intelligence of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Permanent Select Committee on Intelligence of the House of Representatives”.

On page 90, line 24, insert “and to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives” after “congressional committees”.

On page 92, line 18, insert “and to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives” after “committees”.

On page 116, line 20, strike “Secretary of State” and insert “Ambassador at Large for International Religious Freedom appointed under section 101(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6411(b))”.

Beginning on page 117, line 14, strike “Secretary of State” and all that follows through “in consultation with” on page 118, line 1, and insert the following: “Ambassador at Large for International Religious Freedom shall carry out paragraph (1)—

(A) in coordination with the Director of the George P. Shultz National Foreign Affairs Training Center and other Federal officials, as appropriate; and

(B) in consultation with

On page 160, line 16, insert “to the majority leader of the Senate, the minority leader of the Senate, the Speaker of the House of Representatives, the majority leader of the House of Representatives, and the minority leader of the House of Representatives, and” after “the report”.

Strike sections 501 and 502 and insert:

#### SEC. 501. WORLDWIDE SECURITY PROTECTION.

(a) **IN GENERAL.**—Funds made available in fiscal year 2016 for worldwide security protection shall to the extent practicable, before any such funds may be allocated to any other authorized purpose, be allocated for—

(1) immediate threat mitigation support in accordance with subsection (b) at facilities determined to be high threat, high risk pursuant to section 531;

(2) immediate threat mitigation support in accordance with subsection (b) at other facilities; and

(3) locations with high vulnerabilities.

(b) **IMMEDIATE THREAT MITIGATION SUPPORT PRIORITIZATION.**—In allocating funding for immediate mitigation support pursuant to this section, the Secretary shall prioritize funding for—

(1) the purchasing of additional security equipment, including additional defensive weaponry;

(2) the paying of expenses of additional security forces; and

(3) any other purposes necessary to mitigate immediate threats to United States personnel serving overseas.

#### SEC. 502. EMBASSY SECURITY, CONSTRUCTION AND MAINTENANCE.

(a) **IN GENERAL.**—Funds made available in fiscal year 2016 for Worldwide Security Upgrades within “embassy security, construction and maintenance” shall to the extent

practicable, before any funds may be allocated to any other authorized purpose, be allocated in the prioritized order of—

(1) immediate threat mitigation projects in accordance with subsection (b) at facilities determined to be high threat, high risk pursuant to section 531;

(2) other security upgrades to facilities determined to be high threat, high risk pursuant to section 531;

(3) all other immediate threat mitigation projects in accordance with subsection (b); and

(4) security upgrades to all other facilities or new construction for facilities determined to be high threat, high risk pursuant to section 531.

(b) IMMEDIATE THREAT MITIGATION PROJECTS PRIORITIZATION.—In allocating funding for immediate threat mitigation projects pursuant to this section, the Secretary shall prioritize funding for the construction of safeguards that provide immediate security benefits and any other purposes necessary to mitigate immediate threats to United States personnel serving overseas.

(c) ADDITIONAL LIMITATION.—No funds authorized to be appropriated shall be obligated for new embassy construction, other than for high threat, high risk facilities, unless the Secretary certifies to the appropriate congressional committees that—

(1) the Department has fully complied with the requirements of subsection (a);

(2) high threat, high risk facilities are being secured to the best of the United States Government's ability; and

(3) the Secretary will make funds available from the Embassy Security, Construction and Maintenance account or other sources to address any changed security threats or new or emergent security needs, including new immediate threat mitigation projects.

(d) REPORT.—The Secretary shall report to the appropriate congressional committees not later than 180 days after the date of the enactment of this Act on—

(1) funding for the priorities described in subsection (a);

(2) efforts to secure high threat, high risk facilities as well as high vulnerability locations facilities; and

(3) plans to make funds available from the Embassy Security, Construction and Maintenance account or other sources to address any changed security threats or new or emergent security needs, including new immediate threat mitigation projects.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. ISAKSON. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on April 28, 2016, at 9:30 a.m.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. ISAKSON. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on April 28, 2016, at 9 a.m., in room SD-406 of the Dirksen Senate Office Building.

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

COMMITTEE ON FINANCE

Mr. ISAKSON. Mr. President, I ask unanimous consent that the Com-

mittee on Finance be authorized to meet during the session of the Senate on April 28, 2016, at 2:15 p.m., in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Mental Health in America: Where Are We Now?"

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

COMMITTEE ON FOREIGN RELATIONS

Mr. ISAKSON. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on April 28, 2016, at 10 a.m.

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

COMMITTEE ON THE JUDICIARY

Mr. ISAKSON. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on April 28, 2016, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. ISAKSON. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on April 28, 2016, at 2 p.m., in room SH-219 of the Hart Senate Office Building.

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

SUBCOMMITTEE ON PUBLIC LANDS, FORESTS, AND MINING

Mr. ISAKSON. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources' Subcommittee on Public Lands, Forests, and Mining be authorized to meet during the session of the Senate on April 28, 2016, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

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

PRIVILEGES OF THE FLOOR

Ms. HEITKAMP. Mr. President, I ask unanimous consent that Michael Jetvig, an intern in my office, be granted the privilege of the floor for the duration of today's session of the Senate.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of Calendar Nos. 519 through 545 and all nominations on the Secretary's desk; that the nominations be confirmed en bloc, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further mo-

tions be in order; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

The nominations considered and confirmed en bloc are as follows:

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

*To be brigadier general*

Col. Mark A. Baird

IN THE ARMY

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

*To be brigadier general*

Col. Thomas F. Spencer

IN THE AIR FORCE

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

*To be major general*

Brig. Gen. Gregory S. Champagne

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Lt. Gen. Marshall B. Webb

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

*To be brigadier general*

Col. Daniel J. Swain

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

*To be brigadier general*

Col. James J. Keefe

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

*To be brigadier general*

Col. Andrea D. Tullos

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

*To be brigadier general*

Col. Bradley C. Saltzman

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

*To be brigadier general*

Col. Andrew E. Salas

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

*To be brigadier general*

Col. Craig D. Willis