United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, SECOND SESSION

Vol. 162 WASHINGTON, TUESDAY, MAY 10, 2016 No. 73

Senate

The Senate met at 2:15 p.m. and was called to order by the Honorable ROB PORTMAN, a Senator from the State of Ohio.

PRAYER

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

Let us pray.

Eternal God, help us to so live that the generations to come will know of Your mighty acts.

Today, guide our Senators in the path You have created, inspiring them with the potency of Your powerful presence. May they trust You in times of adversity and prosperity, knowing that they will reap a productive harvest if they persevere. Lord, keep them from underestimating the power of Your great Name, inspiring them never to forget that nothing is impossible with You. Give them the wisdom to solve the hard problems of our times and grace to live in harmony with one another.

We pray in Your strong 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 senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 10, 2016.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ROB PORTMAN, a Senator from the State of Ohio, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

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

The ACTING PRESIDENT pro tempore. The Senator from Delaware.

Mr. COONS. Mr. President, I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.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

RECOGNITION OF THE MAJORITY LEADER

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

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL

Mr. MCCONNELL. Mr. President, yesterday we had another opportunity to move the energy security and water infrastructure funding bill forward, and I was disappointed to see it stalled once again.

I wish to reiterate what Senator ALEXANDER, the chairman of the Energy and Water Subcommittee, said. Advancing this funding bill is important—not only for policy but also for process. Members worked in committee and arrived at a bill they reported out unanimously. Many more Members had their voices heard on the floor, where we processed 17 amendments from both Democrats and Republicans.

Now, after much research, debate, and input from both sides, we are almost ready to move this bill across the finish line. We have one outstanding issue to address. It is the amendment authored by Senator COTTON, and we will have a vote on it no later than tomorrow. Senator COTTON was rightly concerned about the administration's recent announcement that it would purchase so-called heavy water from Iran, so he filed an amendment that would keep the funds we are appropriating through this bill from being spent on future heavy water purchases from that country.

Let me repeat that point. This amendment does not impact the current heavy water agreement. Instead, it aims at preventing future funds from going to Iran—funds that country could use to procure ballistic missiles or air defenses that could be used against us or our allies.

I agree with Senator COTTON's objective, and I will be supporting his amendment, which aims to keep Americans safe. But regardless of Members' positions on this issue, we will each have an opportunity to have our opinions count with a vote. Whether or not Senators support the amendment, this is the way the process works.

The amendment is a restriction on the use of funds—clearly a matter related to the use of appropriated funds.

No matter how Senators choose to vote on this amendment, we all know the importance of moving forward with this Energy and Water appropriations bill.

I leave colleagues with one last point offered by Senator ALEXANDER yesterday. This energy security and water infrastructure funding bill is one that ''virtually every Senator in this body has some interest in,'' and passing it would help us ''set a good example for the other 11 appropriations bills.''

We will soon have the opportunity to keep moving forward.

Mr. President, I suggest the absence of a quorum.

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

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

Printed on recycled paper.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CASEY. 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.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 2028, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2028) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Pending:

Alexander/Feinstein amendment No. 3801, in the nature of a substitute.

McConnell (for Cotton) amendment No. 3878 (to amendment No. 3801), of a perfecting nature.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania.

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

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

UNANIMOUS CONSENT REQUESTS—EXECUTIVE CALENDAR

Mr. CASEY. Mr. President, I rise to talk today about judges, specifically district court judges across our country. We have a number of judges in Pennsylvania who have not moved forward, and I want to speak to that today.

I think it is a case of or a story about obstruction. It is as simple as that, and there is no excuse for this kind of obstruction. These nominees came from Senators of both parties, and that applies to Pennsylvania, as well, and have had all their credentials vetted and approved by the Judiciary Committee.

Pennsylvania currently has four nominees to the district court, and one seat on the Third Circuit Court of Appeals is vacant as well. All of these excellent nominees deserve immediate consideration and confirmation.

The Pennsylvania judges were agreed to by my colleague from Pennsylvania, Senator TOOMEY. We worked together to arrive at a consensus. Just by way of example, the two we are talking about today, in particular, Judge Susan Baxter and Judge Marilyn Horan, are Pennsylvania judges who have sterling qualifications and credentials, were selected on a bipartisan basis, as I mentioned, in our State, were unanimously approved by the Senate Judiciary Committee, and they have been languishing now for months, even after Judiciary Committee consideration.

We have two other Pennsylvania district court nominees, Judge John Colville and Judge Milton Younge, who are still inexplicably stuck in the Judiciary Committee, despite being equally qualified and nominated the same day as Judge Baxter and Judge Horan.

So the old expression applies here: Justice delayed is justice denied. That is what we are seeing when we have this kind of obstruction preventing the confirmation of judges who have come through the Judiciary Committee.

The American people have fundamental basic rights. I believe one of those rights is to expect that their courts are working with a full complement of judges. President Obama has seen just 17 judges confirmed in the last 2 years of his Presidency so far—I know we are still in the midst of those 2 years but 17 judges to date in the last 18 months, roughly—compared to 68 when Democrats controlled the Senate the last years of President Bush's administration.

We have seen the same obstruction at all levels of the court system. For example, we know the chief judge of the District of Columbia Court of Appeals, Judge Merrick Garland, has in fact been completely obstructed—not even getting a hearing, not even getting a vote of any kind. That might be the most glaring and egregious example of obstruction. So when it comes to Judge Garland and his consideration to be a member of the Supreme Court, I hope our Republican colleagues would simply do their job. That is what the Constitution tells us we must do. The Constitution says advise and consent, not advise and consent when you feel like it or when it is politically expedient.

One last point about the judiciary, in terms of how essential it is to our democracy, is that we pride ourselves as a nation having a judiciary which is independent—separate from the legislative branch, separate from the executive branch—an independent and in fact coequal branch of government, not an institution that is the instrument of one party, especially the party in power.

So when it comes to Judge Garland, we simply ask Republican Senators to do their job: allow a hearing, conduct a hearing, ask a lot of questions, and then have a vote on Judge Garland to be a Justice.

On district court nominees, it is as simple as agreeing to what has already been agreed to; that all these candidates are of the highest caliber and they are through the Judiciary Committee. All we need now is for folks in the Senate to come together and make a collective decision to move these district court judges forward.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. Will the Senator withhold his suggestion of an absence of a quorum?

Mr. CASEY. Yes.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Mr. CARDIN. Mr. President, I thank my colleague from Pennsylvania, Senator CASEY, for bringing to the attention of this body the fact that we have not met our constitutional responsibility in the advice and consent of appointments made by the President to the courts.

I think we all understand the challenge on the Supreme Court of the United States, where the failure to hold a hearing on Judge Garland, basically saying the President's term is no longer 4 years but 3 years in an election year, makes no sense at all. We have all been talking about that, but as Senator CASEY pointed out, this is now becoming a matter for our district courts.

Let me share with my colleagues. This past week, I went by the U.S. District Court in Greenbelt, MD, and had a chance to talk with some of the judges who were there. They were telling me there is a serious urgency to fill the vacancies on the Maryland District Court. We have two vacancies on the Maryland District Court. One was appointed by the President in March of last year, Paula Xinis, to fill the vacancy. We have a judicial emergency in Maryland. The President did his job in making the nomination in March of 2015. For reasons I don't quite understand, it took 6 months before the Judiciary Committee reported out that nomination, but they did. They reported it out in September 2015, 6 months later. This is not a controversial appointment. It passed by voice vote out of the Judiciary Committee.

Paula Xinis is well qualified. She has clerked for judges. She has a distinguished record in public service, public interest law as well as in private law. I could go through her full record. I have done it before, but Paula Xinis has now been waiting over a year for consideration.

So I am sort of puzzled. Is the Republican leadership now telling us that the term of a President is no longer 4 years but 2 years for the appointment of district court judges? This is a noncontroversial appointment that should have been confirmed well before now and is still on the calendar. As my friend from Pennsylvania pointed out, when we look at the number of actions this Congress has taken on President Obama's appointments—17 confirmations by the Senate—compared to a comparable number in 2008, when the Democrats controlled the Senate and it was in the last 2 years of President Bush's term, 68 nominations were filled in that year.

Currently, we have 20 nominations on the Executive Calendar waiting for action that have been approved by noncontroversial votes of the Judiciary Committee. The number of vacancies has increased in these 2 years from 43 to 79.

I know the distinguished leader is on the floor. I am hopeful we will find a

way forward so we can act on some of these nominations.

Mr. President, I yield the floor to my colleague from Pennsylvania.

The ACTING PRESIDENT pro tempore. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar No. 307, Calendar No. 357, Calendar No. 358, Calendar No. 359, Calendar No. 362, Calendar No. 363, Calendar No. 364, Calendar No. 459, Calendar No. 460, Calendar No. 461, Calendar No. 508; further, that the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be made in order to the nominations; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. MCCONNELL. Mr. President, reserving the right to object.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. MCCONNELL. Mr. President, as I had noted before we left for recess, the way to look at these judicial appointments is to talk about apples and apples, not apples and oranges.

At this point in President Bush's 8 years, he had 303 judicial nominations confirmed. President Obama so far has had 324. According to my math, that is 21 more judges confirmed during the 8 years of President Obama to this point than during the 8 years of President Bush to this point.

That said, we are looking to see if we can set up another vote on a judicial nominee, but until that process is complete, I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

The Senator from Maryland.

Mr. CARDIN. Mr. President, as I pointed out to my colleagues, the number of vacancies has increased during this term from 43 to 79. We have judicial emergencies in our State and many States around the Nation. So I am going to try a smaller number and see whether we can get agreement on that.

I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar No. 307, Xinis; Calendar No. 357, Martinotti; Calendar No. 358, Rossiter; Calendar No. 359, Stanton; that the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The ACTING PRESIDENT pro tempore. Is there objection?

The majority leader.

Mr. MCCONNELL. Mr. President, reserving the right to object.

As I indicated a moment ago, the way to measure a President's success in getting judges confirmed is to compare two Presidencies—President Bush, who was in office for 8 years, and President Obama, who will be in office for 8 years—to this point. At this point, President Obama has received 21 more judicial confirmations than President Bush did to this point. So he has been treated very fairly.

Therefore, I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

The Senator from Delaware.

Mr. COONS. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 307, Paula Xinis, nominee for the District of Maryland; that the Senate proceed to vote without intervening action or debate on the nomination; the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. MCCONNELL. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

The Senator from Delaware.

Mr. COONS. Mr. President, there are today 81 vacancies in our Federal courts, 29 of which are judicial emergencies.

I note, with respect, that the majority leader has compared the number of district court nominees confirmed under the previous President and the current President; but, in my view, what matters most is that there are 29 judicial emergencies in district courts across this country and that there are 20 district court nominees who were voted out of the Judiciary Committee on unanimous voice votes that continue to await action on this floor—the one that I just sought a unanimous consent for, Paula Xinis of the District of Maryland, and 19 others. At this point, 1½ years into this Congress, only 17 judges have been confirmed to district courts in this United States, and last year the Senate matched a record for confirming the fewest in more than half a century—11 for the entire year.

What I am most concerned about is its impact on the operations of the courts of the United States. As a member of the Judiciary Committee, I am frustrated and concerned. We have 24 nominees waiting for a hearing in the committee as well; 7 of these nominees are to courts of appeals, including AUSA Rebecca Ross Haywood, who has been nominated to serve on the U.S. Court of Appeals for the Third Circuit, the appellate court covering my home State of Delaware.

Then, of course, there are ongoing concerns about the vacancy on the Supreme Court. It has been 55 days since President Obama nominated Chief Judge Merrick Garland—a consensus candidate who was previously confirmed to his seat on the DC Circuit by a bipartisan majority of the previous Congress—to our Nation's highest Court.

Last week, a bipartisan group of former Solicitors General—Paul Clement, Todd Olson, and Ken Starr, former SGs who have served in both Republican and Democratic administrations—endorsed Judge Garland as ''superbly qualified,'' having ''demonstrated the temperament, intellect, and experience to serve'' on the Supreme Court. I am gravely concerned that we have sunk to a level in terms of the delays in confirmation of qualified judicial nominees to the courts at all levels in our country, that we are having a significant ongoing and negative impact on the functioning of our courts and access to justice in this country. Sadly, obstruction in this body has allowed too many of our courts to grind to a halt on the important business of our Federal judicial system. I believe it is time we do our jobs. There are vetted, qualified Americans ready, willing, and able to serve in our Nation's justice system. We should embrace their willingness to serve and let them get to work.

Mr. President, I yield the floor.

Mr. MCCONNELL. Mr. President, was there a unanimous consent request?

The ACTING PRESIDENT pro tempore. No further consents are pending.

The Senator from Utah.

REMEMBERING ROBERT F. BENNETT

Mr. LEE. Mr. President, I rise to pay tribute to a man who was truly a giant in my home State of Utah and in this institution, the U.S. Senate.

He was a friend to everyone he met and someone whose life of service to the people of Utah we celebrate. At the same time, we mourn his passing: Senator Robert F. Bennett.

Senator Bennett loved the political arena. Though his heart was always with his family in Utah, he spent many years working on Capitol Hill in both the Senate and the House, and later as a congressional liaison for the Department of Transportation. He also spent many years in business, where his management abilities and his keen mind helped build a successful corporation and earn him awards such as Inc. Magazine's ''Entrepreneur of the Year.''

But Senator Bennett's true passion was for sound public policy, for the development of good policy. He cared little about who wrote policy, and he cared even less for who would get the credit for good policy. So long as wise politics were enacted into law, he was

happy. That was his objective, and it was a noble one at that.

This was apparent to me after a memorable conversation I had with him in 2010, just a few days before our State's Republican nominating convention, at which we were both candidates. I was in the lobby of a local radio and television station, waiting to go on the air and watching the national news on a large television screen. I don't remember the exact issue that was being discussed, but I remember the general topic, and I will never forget what happened as I watched this broadcast.

Senator Bennett walked into the lobby and, seeing me, simply strolled over to stand next to me. To be honest, I was anticipating the type of understandably awkward interaction that might occur between candidates near the end of a heated political contest. Instead, with his charismatic and characteristic charm and affability, he quickly put me at ease by nodding toward the screen and saying rather diplomatically, ''You know, there's a pretty good chance that you will be the person who has to deal with this issue.''

Having gracefully diffused the situation and diffused any tension that might have otherwise been between us at that moment, he proceeded to share some words of wisdom and personal insights, imparting to me some of the lessons he had learned from his own experience on that matter. It was clear to me that he had not only thought long and hard about it but that he was ultimately less concerned with who addressed the issue, less concerned with who would get credit for fixing the problem, and more concerned with ensuring that the problem was dealt with thoughtfully, wisely, and in a manner most likely to result in a good outcome for the American people. In Senator Bennett's view, there was no such thing as a political opponent; there were only potential political allies.

Although Senator Bennett was a serious statesman, he was also one who did not take himself too seriously. This is one of the many reasons people everywhere were drawn to him. Many Utahns will remember his flair for self-deprecating humor emblazoned on his campaign billboards in 2004. Summarizing Senator Bennett's most distinctive qualities, one billboard read: ''Bold. Brilliant. Beanpole.'' In a slight variation on the same theme, another one of his billboards read: ''Big Heart. Big Ideas. Big Ears.'' And perhaps everyone's favorite declared: ''Better looking than Abraham Lincoln,'' adding parenthetically, ''just barely.'' In the political arena, where inflated egos loom large, Bob Bennett was a breath of fresh air.

Senator Bennett's command of public policy was legendary. He could speak extemporaneously and at length on everything from the Federal budget, to Utah's changing demographics, to business trends, and he could do so without any notes.

He was a master storyteller, one who had the uncanny ability to entertain and challenge his audience at the same time—the result of a lifetime of learning and profound thinking. He always maintained an open mind, never unwilling to rethink policy issues in light of new information. These qualities are but a few of the reasons he was a trusted colleague, and he was trusted by colleagues on both sides of the aisle of this Chamber.

Although much has been written about his public and his political accomplishments, there was a side to him that does not receive the attention it probably deserves. A day in the life of a U.S. Senator is often stressful and invariably unpredictable. Under such circumstances, the likelihood of error is high, and as one of his staffers once told me, ''There were plenty of times that scheduling mistakes were made, and anger at us''—the staff—''certainly would have been justified.'' But these same staffers also said that in 18 years in the U.S. Senate, they never saw Bob Bennett get angry or even so much as raise his voice at any of his staff members. He was always kind, patient, and understanding with them, and they were committed and loyal to him in return. I am convinced that one of the reasons so many Members of the Senate trusted Bob Bennett so completely was that they saw how his own staff treated him and how he returned that trust.

I have been the beneficiary of the staff that he built. Some of my very best staffers were those whom I hired from Senator Bennett's office, who not only helped me get my office up and running but helped keep it running efficiently and effectively as the trained professionals they were, having been mentored by one of the greats of this institution.

Senator Bennett was a man of the utmost integrity and was the same calm, deliberate, and thoughtful person whether speaking in public or speaking to close confidants. At 6 feet 6 inches, he towered over most people, but that didn't prevent him from meeting people where they were, treating everyone with dignity and respect, and exhibiting true understanding and true compassion for all with whom he interacted.

Whether he was talking with ranchers in Iron County or consulting a grieving parent visiting him in his Salt Lake office or debating the Chairman of the Federal Reserve during a Banking Committee hearing, Bob Bennett treated everyone the same—with kindness, respect, and concern.

He often quoted President Reagan's famous aphorism that ''there is no limit to what a man can do or where he can go if he doesn't mind who gets the credit.'' But Senator Bennett didn't just recite those words; he lived them. They were part of who he was and what he did.

On more than one occasion, he worked for months on end to craft a legislative solution to a difficult issue, only to discover at the last moment that the price of its passage would be to give all the credit to someone else. Because his objective was—first and foremost—to make sure the right thing was done, this was a price Senator Bennett was always willing to pay. This was an obstacle from which he never shied away. This was something that never deterred him from doing the right thing.

Since the election of 2010, I have been asked countless times about my relationship with Senator Bennett. My answer invariably reminds me of the great privilege it is to serve the State of Utah in his seat. Our conversations were always meaningful and focused on innovative approaches to dealing with difficult and important policy issues. A consummate statesman and a classic gentleman, he always made clear to me that good policy is always good politics in the end.

Senator Bennett's achievements were numerous, and he will be remembered for his tremendous impact on the State of Utah. However, I am certain that if he were to make a list of his greatest accomplishments, it would likely say nothing about his business successes or his political endeavors. Rather, it would focus entirely on his family—on his dear wife Joyce, the 6 children they raised together, and on their 20 grandchildren.

Senator Bennett truly was, in every way, a giant. He was a man of integrity, a man whose word was truly his bond, and a man who left both the State of Utah and his country better than he found them. He was a man who had a firm and unwavering commitment to his faith in God and was true to that faith until the very end.

It is my hope and prayer that Senator Bennett's wife Joyce, his children, and his grandchildren are comforted at this difficult time, knowing that our State and our country are forever grateful for their husband, father, and grandfather's exemplary life of service.

I yield the floor.

The PRESIDING OFFICER (Mr. LANKFORD). The majority whip.

Mr. CORNYN. Mr. President, I wish to thank my colleague from Utah for his generous remarks about our friend, Senator Bob Bennett. I had the opportunity to serve with Senator Bennett for a number of years. Those of us who are of a certain age, who were raised in the Star Wars period—sometimes I think about Bob Bennett as the Jedi Master, the Obi-Wan Kenobi, one of the wise men of the Senate whom it has been my pleasure to come to know and learn from. Certainly, we will miss him. We send our very best wishes and condolences to Joyce and their entire family, along with 20 grandchildren. It is a huge, wonderful family of which I know he was very, very proud.

WORKING TOGETHER IN THE SENATE AND CRIMINAL JUSTICE AND MENTAL HEALTH REFORM

Mr. President, I want to talk a little bit about the Senate's work and what

we have been able to do and what we still have to do. In the past we knew there had been an experiment, principally under the leadership of the former majority leader, now the minority leader, Senator REID, of basically not allowing the Senate to function and not allowing Senators, including Members of the majority party, to offer amendments, lest people be forced to vote on things they later would be held accountable for by the voters. What a concept that is.

In fact, we have seen a different approach at work under the leadership of Senator MCCONNELL, the Senate majority leader in the 114th Congress, over the last, roughly, year and a half. It is one where everyone gets to participate, and when people have a better idea, they are allowed to offer that by way of an amendment and constructive proposal to improve legislation and to try to do what they can to build consensus, to get legislation passed in the Senate and the House, and get it on the President's desk. We are going to have differences. Of course we are. But it is important that we try and that we not just come here to make speeches and vote no on everything, but we actually try to find some way of getting to yes, particularly where it doesn't violate our principles and where we are able to make incremental progress on the work we have been sent to do.

Fortunately, we have seen the Senate get back to work. We just recently passed important legislation, such as the Energy Policy Modernization Act—a bill that will update our country's energy policies. This follows on the heels of a vote late last year where we lifted the antiquated ban on crude oil exports. It is something to give our domestic producers access to global prices for their products, something that encourages domestic production and helps us become less dependent on foreign imports and helps us help our friends and allies around the world who are sometimes dependent for their source of energy on some pretty unsavory characters who can cut it off, using energy as a weapon. But, particularly, it is important in terms of getting Americans back to work.

While the unemployment rate continues to tick down to roughly about 5 percent, the untold story is the percentage of people actually participating in the workforce is at a 30-year low, and people have, unfortunately, given up looking for work in too many instances, making that 5-percent unemployment statistic a little bit misleading. We learned again last week, I think it was, that our economy grew at 0.5 percent.

I remember when we used to talk around here about the economy growing at 4 percent or 3 percent, at least. In other words, as population increases, the only way more jobs get created is for our economy to continue to grow. There are not a lot of problems that America has that couldn't be made better by a growing economy. Unfortunately, we have seen the negative consequences of some of the policies, particularly of the executive branch when it comes to regulation, which have made that very difficult. We have been making some progress in the Energy Policy Modernization Act as part of that. It has passed consumer-friendly legislation that will help people get access to energy help and provide the incentives for them to conserve.

We have also done things such as pass a reauthorization of the Federal Aviation Act, the FAA. That may not seem like a big deal unless, of course, you fly in an airplane and care about safety. The legislation we passed—I think the Senate has done that—has helped regulate the growing number of remotely run aircraft or drones to make sure those don't conflict with passenger planes, so those will be safer. That is just another example.

We have also passed important legislation to deal with this prescription drug abuse crisis. Many call it the opioid abuse crisis, which happens too often. When people can't get access to the addictive prescription painkilling drugs they have been prescribed, they turn to the cheaper forms of addictive drugs such as heroin. We were able to pass the Comprehensive Addiction and Recovery Act back in March, and I know the House of Representatives—I believe this week—is taking up this same legislation. My hope is that we can continue to work together to bring relief to those struggling with addictions and to help save those who would otherwise suffer from a fatal overdose of drugs. We still have a lot of work ahead of us.

We started the appropriations process last month, which I know has been an enormous frustration to a lot of people. I remember all too clearly, as the Presiding Officer does, the alternative, which was doing it in a 12-step process. The regular appropriations process was to do an omnibus appropriations bill at the end of the year, which is a lousy way of doing business. We would have one bill that would spend roughly $1 trillion. That process lacked the transparency and accountability that necessarily goes into a step-by-step process, where we move 12 separate appropriation bills across the floor. We all said we wanted to do this. This basic work is done by the legislature so we can pay the bills according to the limits we have agreed upon in terms of spending, but we keep running into roadblocks.

Last night we had a vote to try to get back on the Water and Energy appropriations bill. The obstacle appears to be that our friends on the other side of the aisle don't want to vote on the germane amendment that was offered by the Senator from Arkansas. As a result of their objections to proceeding in the normal way to consider germane amendments like that one, the fact is, the majority leader had to file for cloture on that bill in order to guarantee that there will be a vote on that amendment. Hopefully, once that is resolved, we will get back on final passage of that appropriations bill and then move on to the Transportation, Housing and Urban Development appropriations bill. After that, I believe the plan is to move on to the VA-Military Construction appropriations bill. In other words, it is not fancy work, but it is our work, and it is something we should be doing in a transparent and methodical sort of way.

These bills actually represent the fundamentals of legislating—the sort of blocking and tackling. They include resources to fund our military, which is something we all say we are for. We need to keep our commitments to our veterans, which is a sacred obligation, and we need to help provide the necessary infrastructure across our country. We need to keep the folks who serve our country in diplomatic posts abroad and those who protect our borders here at home safe. I hope we can grind our way through this so we can take up and pass all 12 appropriations bills. The people who have elected us deserve that and not some end-of-the-year mad dash to the finish line, where everybody comes away pretty much dissatisfied by the process.

Beyond the appropriations process, I also want to point out some important work being done at the committee level in the Senate. I serve on the Judiciary Committee under the leadership of Chairman CHUCK GRASSLEY from Iowa. At the end of April, I was proud to join a number of my colleagues, on a bipartisan basis, to announce major proposals to reform our criminal justice system. Back when I went to law school, more years ago than I would like to recount, we were told the criminal law was supposed to be used to punish people who violated the law, to deter others who might be tempted to commit crimes in the future, and to rehabilitate people who made a mistake and ended up in prison. My experience and observation has been we have largely forgotten the rehabilitation process.

Beginning in 2007, in Texas and other States, we began to provide incentives for low-risk offenders who were in prison who, if given the opportunity, would begin the process of turning their lives around. They might be dealing with a drug or alcohol addiction or an education deficit, such as the fellow I heard about when I was in a prison in East Texas recently. The shop teacher at that prison said: I have guys in my shop class in this prison who can't even read a ruler. How in the world are they supposed to get a job on the outside? How in the world are they supposed to turn their lives around once they get out of prison? We simply seem to forget that people who are in prison will usually get out of prison, and the only question is: How well equipped will they be to work in civil society and to hopefully turn their lives around and become productive members of society.

I am not naive enough to say or to think that everyone will take advantage of those opportunities, but we know that many will take advantage of those opportunities. That is not just conjecture, that is based on the experience of States like Texas, Georgia, and North Carolina.

As former attorney general and longtime Federal district judge in New York, Michael Mukasey, said: The gold standard in terms of criminal justice reform is the crime rate. I know there has been some discussion about the incarceration rate, and some people want to talk about other things, but he said the real question has to do with the crime rate. If the crime rate is going down, you are doing something right. If the crime rate is going up, you are doing something wrong. The good news is the crime rates in places like Texas have gone down as a result of some of these programs which help to prepare those who are willing to take and accept this help so they can turn their lives around. It has also helped us deal with the ballooning prison system cost. Indeed, in Texas alone we have been able to shut down three prisons as a result of reducing the population, slowing down and in many cases eliminating this turnstile, where people go to prison, get out, commit other crimes, and end up right back in prison again. This is an example of criminal justice reform which I know the President is for.

There is another component of sentencing reform which I think very sensibly deals with some of the mandatory prison sentences that were passed many years ago with the best intentions but some of which have really overshot the mark. The most important element, when it comes to a criminal sentence, is the certainty of the sentence, not the length of the sentence. Again, Judge Mukasey, former Attorney General of the United States said: Many times people who commit crimes have impulse-control problems, and they are not thinking about what is going to happen to them 25 years from now or 50 years from now. They are thinking about what will happen to them next week, today, or later tomorrow. So I believe the certainty of punishment is a more important consideration than the length of the punishment.

It may make some people feel good to say we are going to put somebody away for the rest of their lives, and in some instances that is the appropriate punishment, but when it involves a nonviolent offense and they are stacking mandatory sentences in a way that is disproportionate to the offense that was committed, I think it is appropriate to consider changing the mandatory minimum sentencing.

We also created a safety valve. Nobody who is currently in prison gets the benefit of the changes in the mandatory minimum sentences without appearing in front of the same Federal district judge who sentenced that person to prison in the first place. That Federal district judge will be able to not only consider the circumstances of the crime but the postconviction and postincarceration conduct as well as the comments and input of any victims of the crime. This way they can determine—based on all of the circumstances—whether you ought to be given the benefit of that reduced mandatory minimum sentence. It is not a get-out-of-jail-free card. It gives that person a right to be considered by a Federal district judge as long as it does not involve a serious crime as defined by Federal law. We categorically excluded that to make sure this is focused primarily on nonviolent offenders, those who are least likely to put the community at risk.

There is one other area that I think we have an opportunity to work on and perhaps succeed with because there seems to be no real objection to the idea; that is, how to deal with people who have mental illness in our society. Back in the old days, people with mental illness used to be put in institutions. They were basically locked up and the key was thrown away. Well, we know that didn't work very well. It was basically warehousing people with mental illness. Someone had the idea to deinstitutionalize those with mental illness. That way they would get to live in the community and would then receive the sort of followup help, assistance, and care they needed in order to maximize their potential, whatever it might be. It was good in theory, but after the deinstitutionalization took place, people ended up living in the streets—the homeless whom all of us see. They are obviously mentally ill, but they live on the streets or end up in our criminal justice system because they are not getting the treatment that might help them to become more adaptive and productive.

I told this story before, and I will repeat it briefly now. I have a friend who is the sheriff of Bexar County, in San Antonio, TX. While at a meeting recently here in Washington, DC, he said: How would you like to meet the largest mental health provider in America. I said: Sure. She said: Let me introduce you to the sheriff of Los Angeles County. In other words, the person who runs the LA County jail. In addition to the homeless who are living on our streets or crowding our emergency rooms with a variety of illnesses—real and imagined—a large number of people end up in our jails.

Thanks to great innovative programs like that in Bexar County, San Antonio, TX, and as a result of what Sheriff Pamerleau and others have done, we began to address the problem at its root and are making sure that people who need help are not just warehoused in jail but are actually diverted to a treatment facility. I have introduced legislation which I think might help the situation, and that is called the Mental Health and Safe Communities Act. The fact is, Adam Lanza's mother—Adam Lanza was the shooter at Sandy Hook who stole his mother's gun, killed his own mother, and then went on to murder those poor, innocent children at Sandy Hook Elementary School—basically had two choices: One is she could seek an involuntary, temporary commitment to a mental institution, after which he gets out, he is angry at her, their relationship deteriorates even more, and she has nowhere else to turn or we could have a mechanism where she could go to a civil court and ask a judge to enter a court order requiring her son to undergo outpatient treatment, to make sure he saw a psychologist or mental health professional and was actually compliant with the doctor's orders in terms of taking his medication.

One of the biggest problems in the mental health area is that people will simply start to feel better and then quit taking their medicine. As a result, they end up becoming sicker and sicker and sicker. In Adam Lanza's case—because his mother really didn't have any mechanism to make him comply with his doctor's order to take his medication—he basically became more and more mentally ill until this tragedy occurred. I am not saying this would have necessarily prevented that tragedy, but I think it would provide another tool that loved ones can use, and I believe need, when a member of their family suffers from symptoms of mental illness and simply refuses to deal with it and comply with their doctor's orders.

This month is actually National Mental Health Awareness Month, and it is an appropriate time for us to talk not only about the solution—or at least something that will improve the status quo, when it comes to mental illness in our country—but it is also a time to educate people about mental health issues and to highlight ongoing efforts and to support those who are struggling.

I dare to say that there is not a single family in America that is not affected by this problem or, perhaps, if it is not an immediate family member, then it is somebody they know or somebody with whom they live in the community. So we have a lot of work to do.

Criminal justice reform and mental health reform are two issues that are absolutely the opposite of partisan; they are nonpartisan issues. There are issues where people have different points of view, and that is fine. Let's see where we can build consensus and what things we may have to leave for future legislation. The basic point is that, even though the media is obsessed with what is happening in the Presidential race and the primaries on both sides, we have been able to continue to do the people's work here. There is a lot to be done, and, frankly, there is a lot more that we can do. But we have an opportunity to build on nearly a year and a half of a strong bipartisan record of accomplishment, one

that has benefitted both those in the majority and the minority. Frankly, the focus shouldn't be on us—on who is up and who is down—but on what we are able to do together to pass legislation that helps the American people.

I yield the floor.

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

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

THE ADMINISTRATION'S POLICIES IN THE MIDDLE EAST

Mr. SULLIVAN. Mr. President, we all know that the Obama administration's 8 years in office is beginning to wind down. As it does, as is natural for a President ending his time in office, the President and the members of his team are starting to focus on their legacy and on how they want to be remembered.

Now with regard to this administration's policies in the Middle East, unfortunately for them, the legacy and narrative that is beginning to take hold is one of not leveling with the American people—not one of honesty. That should concern all of us—all of us in this body, whether Democrats or Republicans.

When the President of the United States is in open disagreement with the Secretary of Defense and with the Chairman of the Joint Chiefs of Staff on one of the most critical issues our Nation faces—whether to send our sons and daughters into combat—it should be cause for significant concern for all of us in this body and across the country.

President Obama has repeatedly told the American people that U.S. troops in the Middle East are not in combat. In 2010, he announced that we were ''ending our combat mission in Iraq,'' and in 2014, he used the same words to talk about Afghanistan. More recently, he said that our mission in Syria ''will not involve American combat troops fighting on foreign soil.''

Yet, just less than 2 weeks ago, in a Senate Armed Services Committee hearing, when Secretary of Defense Ash Carter and the Chairman of the Joint Chiefs of Staff, General Dunford, were asked if our troops in the Middle East, Syria, and Iraq are engaged in combat, these two senior U.S. officials unequivocally said: Yes, they are. To the members of our military serving overseas, particularly in the Middle East, Secretary Carter and General Dunford were stating the obvious. Indeed, there have been recent news reports in the Washington Post and in the Military Times that describe up to 200 Marines at a place called Fire Base Bell in northern Iraq, firing artillery missions on a daily basis in support of Iraqi troops in order to kill ISIS terrorists. Our soldiers serving in the Middle East as part of the Joint Special Operations Command conduct regular counterterrorism missions to kill and capture terrorists in the Middle East. Of course, we see on a daily basis our brave pilots from all the different services, who have dropped approximately 40,000 bombs in Iraq and Syria in close air support missions, focused on destroying and killing ISIS members and their infrastructure and their logistics bases.

Since 2014, almost 1,200 bombs and close air support missions have been conducted in Afghanistan. Just yesterday, we were informed of a successful strike—again, a coalition strike with fighter aircraft—that killed three ISIS leaders.

These missions have entailed risk. Some of the members of our military have been killed and others have been wounded, but there is no doubt that all of what I have just described is the very definition of combat. The Secretary of Defense and the Chairman of the Joint Chiefs of Staff have both stated this.

Indeed, in a lead editorial in the Military Times on Friday entitled ''It's a combat mission, Mr. President,'' the editorial concluded by saying:

> When U.S. and allied troops are on Islamic State turf with the mission of wiping it from existence, they are on a combat mission. Calling it anything else is wrong.

To Secretary Carter's credit, at a hearing last week, he agreed and stated unequivocally that ''these [members of our military] are in combat . . . and I think we need to say that clearly.''

This is the Secretary of Defense. Well, apparently the White House didn't get the memo. Last week, when asked about a very brave Navy SEAL who unfortunately was killed in a fierce firefight involving U.S. Special Operations forces, Kurdish commandos, and Islamic State fighters, White House spokesman Josh Earnest told reporters that ''the relatively small number of U.S. servicemembers that are involved in these operations are not in combat but are in a dangerous place.''

That is the White House—''relatively small'' and ''not in combat.''

Why does President Obama and his White House continue to peddle the fiction that U.S. forces are not engaged in combat? That is a really important question that we need to be asking. Why? The whole world knows that we are. Why are they peddling this fiction to the American people?

Perhaps the Commander in Chief is truly unaware that our military forces are in combat, and there are hundreds of them that are. If that is the case, that would be very troubling indeed. What is more likely is that the President has told the American people repeatedly that he will end wars and won't send combat troops to the Middle East, and so the word contortions coming from the White House are part of the twisted attempt to salvage and protect the President's legacy. But by spinning the truth for political purposes, the President is coming perilously close to leaving a legacy of dishonesty when it comes to our military involvement in the Middle East.

Much more worrisome, this dishonesty comes with a cost. First and foremost, it diminishes the service and sacrifice of our troops and their families. Again, in the Military Times editorial on this very topic, on Friday it stated:

> Calling it a training mission [in the Middle East] is cold comfort to the parents, spouses and children of the deployed troops. . . . The more the White House insists these troops are not part of a combat mission, the more distrust it breeds in the ranks [of our military] and among the public. It's viewed as the sort of condescending semantics Washington plays to deny the obvious. That can only serve to erode support for the [important] mission.

Americans serving in Iraq, Syria, and Afghanistan know that they are in combat. The Commander in Chief needs to acknowledge this fact and the bravery it entails and not disguise the true nature of their duty.

Second, the costs that come with this dishonesty is that it further undermines the administration's very tenuous foreign policy credibility regarding its stated goal of degrading and destroying ISIS. While this is the correct goal, a series of missteps in the Middle East, including the President's failure to enforce his own redline when it was crossed by Bashar al-Assad in Syria has brought us to the point where our adversaries and our allies question U.S. credibility and resolve. Islamic State terrorists know that they are in combat against American forces. They see it every day. But when the President says otherwise, it signals a lack of conviction, making it harder for us to defeat these terrorists.

Third, this dishonesty about the role of our troops allows Presidential candidates to duck a tough issue. For example, Presidential candidate Hillary Clinton has repeatedly said—unchallenged by anyone, including in the media—that she would continue the President's policies of not sending combat troops to Syria and Iraq. But the President is sending combat troops to Syria and Iraq.

Finally, and more broadly, by playing fast and loose with the facts about our policies in the Middle East, the Obama administration is making it harder to gain congressional support for its policy. I strongly believe that when the executive branch and the legislative branch on national security and foreign policy issues are in agreement and working together, that is when we are strongest as a country. I have been critical of this administration's policies in certain areas and supportive in others. If Congress feels like the administration is being played and the American public is not getting the courtesy of the truth, support in this body for these important policies will crumble.

We saw an extreme example of this over the weekend in a remarkable New York Times Magazine piece about the

President's Deputy National Security Advisor, who is credited with selling the Iran nuclear deal to Congress and the American people. We see line after line in a very lengthy article about not leveling with the American people on that deal, which we debated here on the Senate floor.

Let me give you a couple of quotes from that article. One is just how they sold the deal. Now I am quoting the article.

> The way in which most Americans have heard the story of the Iran deal presented—that the Obama administration began seriously engaging with Iranian officials in 2013 in order to take advantage of a new political reality in Iran, which came about in 2013 because of elections that brought moderates to power in that country—was largely manufactured [by the White House] for the purpose of selling the deal.

So here we have White House officials saying they manufactured a story to sell the nuclear deal to the Congress and the American people.

Another quote talked about a speech the President gave on the deal—a very important speech—and it says:

> While the President's statement and speech was technically accurate—

This is about the timing of the negotiations—

> it was also actively misleading.

So again a top White House official is pretty much admitting that he was fabricating a narrative to get the American people and the Congress of the United States to ''sell'' and ''buy off'' on the Iran deal.

You know, reading this article, one gets the sense that to some of the people in the White House, this is all a game. Facts don't matter, but cleverness does. The quotes in the article from young White House officials are almost gleeful when they recount how they sold the nuclear deal to ''clueless reporters''—any of the press listening, I hope you like that adjective—and Members of Congress and how the White House created an ''echo chamber'' and were the puppet masters, literally putting words in the mouths of Members of Congress and reporters to sell this deal.

My colleagues should read this article. Again, it is like a game. But, of course, this is not a game. All of this—American troops in combat, whether the world's largest state sponsor of terrorism should obtain a nuclear weapon—this is not a game. This is a deadly serious reality.

I was reminded of this serious reality this past week when I spent much of my recess with the assessment and selection team of the Marine Corps' Special Operations Command. It wasn't clever 30-somethings with fine arts degrees out in the field, working on little sleep, but 20-somethings of all backgrounds, from every corner of America, going through some of the most rigorous military training possible. Some of these young marines will make the cut for Special Operations Command and others won't, but all are striving for the honor of defending their Nation during challenging times. No doubt in due time many will be heading to the Middle East and other parts of the world, doing their duty to keep us safe.

The Obama administration owes these brave young Americans the truth, not spin. The Obama administration owes Congress the truth, not spin. The Obama administration certainly owes the American people the truth, not spin. The sooner the President and his White House start leveling with the American people about our roles and our policies in the Middle East, the better it will be for all of us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, before I give my intended remarks and while the Senator from Alaska is still on the floor, let me just share with him—although I probably would not have used some of the pejorative terms, let me agree with him that this distinction that has been made between combat troops and noncombat troops in the Middle East is ridiculous.

We need a more fulsome discussion on the floor of the Senate as to the scope of our deployment there. We just heard evidence last week that we have U.S. troops on the ground in Yemen in addition to Iraq and Syria. Frankly, the appropriate forum to have that discussion is a debate on an authorization of the use of military force to fight our enemies in the region.

So, while I might not share the way in which the sentiments were expressed, I think that this conversation about brave men and women—American soldiers—putting their lives on the line as we speak in the Middle East is as important as it gets. The fact that we are not having a broader discussion about this is deeply problematic. So I thank the Senator for raising the issue. I hope it is something on which we can come together as we provide legal cover and perhaps restrictions on the use of force in the region. So I thank the Senator for bringing up this important subject.

GUN VIOLENCE

Mr. President, I am here today to talk about the 21,000 people a year, 2,600 a month, 86 a day—these are rough numbers—who are killed by guns all across the country. A lot of the kids who grow up in neighborhoods like the North End of Hartford or the East End of Bridgeport—it feels like a war zone because they fear for their life every day as they are walking to school. The levels of PTSD—when virtually every one of these kids knows someone very close to them who has been shot, it rivals the diagnoses that come back from war zones abroad.

Today, in my campaign to try to bring the voices of victims to the floor of the Senate, I want to talk about one aspect of this epidemic that is all across the country; that is, the epidemic of young children being killed accidentally by guns. The numbers are really hard to believe, that in this country, in any one given year, there are somewhere between 2,000 and 3,000 children and teens who die from guns in the United States. That does not even count all of the kids who suffer nonfatal gun injuries; in 2010, the official number was about 18,000. There is a lot of reporting that suggests that the numbers we know are dramatically lower than what the actual numbers are, that there are a lot of injuries that happen in the home because of guns that are not reported as part of the official statistics.

Here are just a handful of headlines from recent papers, including this New York Times headline: ''One Week in April, Four Toddlers Shot and Killed Themselves.''

On average, last year, in 2015, people were getting shot by toddlers on a weekly basis. I think it is time that we start talking about this epidemic of young kids—as young as 1 or 2 years old—getting their hands on weapons and either killing themselves or killing their parents or their brothers or their sisters and that we start talking about the fact that this is not happening anywhere else in the world.

Here are the rates of gun deaths per 100,000—this is children and teens. We are going to take high-income countries. I mean, it is not close. Canada, our neighbor, is the next highest with 0.75 per 100,000, but 3.24 children and teens die from gun homicides, gun deaths—accidental, intentional—every year. Other countries barely register. There is nothing unique about the nature of American children that explains this away. The only thing that can explain this is the large number of unsafe weapons that are available to children. So I want to talk for a little bit today about what is happening out there.

Here is the broader number. On average, every day 46 people are shot or killed by accident with a gun. In 2015 there were at least 278 unintentional shootings at the hands of young children and teenagers. So these are young kids and teenagers unintentionally firing a weapon. We know there are at least 278. The New York Times found that unintentional shootings occurred roughly twice as often as the records indicate because of idiosyncrasies in terms of how such deaths from accidental shootings are classified.

We know there are about 1.7 million children and youth under the age of 18 who are living in homes with loaded and unlocked firearms. Some 1.7 million kids are in homes with loaded and unlocked firearms. A Harvard survey showed that children who live in gun-owing households, by a rate of 70 percent—these are kids under the age of 10—70 percent of kids under the age of 10 who live in households that have a gun knew where their parents stored the guns, even when they were hidden, and 36 percent of those kids under 10 years old reported that they themselves had handled the weapons. One

out of three kids under 10 had found the weapon and had handled the gun. One analysis found that 70 percent of unintentional child deaths from firearms could have been prevented if that firearm had simply been stored, locked, or unloaded.

So this is a part of the story of gun violence in this country that does not often get talked about, but given this one horrific week we had in April, maybe we can have a conversation about what we can do to try to reduce the number of accidental shootings that happen at the hands of little kids. My goal in these speeches is to tell you who these victims are, so, as hard as it is, let me tell you a little bit about some of the children who passed away in this week during April.

Holston Cole was a 3-year-old from Dallas, GA, who shot himself with his father's loaded gun on April 26. The gun, according to his father, was located in a backpack. Holston removed it from the backpack and then accidentally fired the weapon. Autopsy results confirmed that the shot was both accidental and self-inflicted. After the gun fired, Holston's father called 911. I wouldn't recommend that you listen to the recording. You will hear the father wailing: ''No, no! Stay with me, Holston. Can you hear me? Daddy loves you. Holston. Holston, please. Please.''

This was a kid who was full of energy from morning until night, as his relatives described. His pastor, who officiated Holston's funeral, remembered Holston as a boy who loved superheroes and sometimes wrestled cardboard boxes. He loved to play in small, inflatable bouncy castles whenever he could.

Sha'Quille Kornegay was 2 years old when, on April 21, in Kansas City, MO, she died after accidentally shooting herself in the head with her father's gun. She had been taking a nap with her father when she found the gun under a pillow on the bed, where her father generally kept it. Her father woke up from the nap to Sha'Quille by his bed bleeding and crying, the gun at her feet. Sha'Quille's mother was devastated by her daughter's loss and noted that the daughter's first word was ''daddy.'' She was buried in a pink coffin, her favorite doll by her side and a tiara strategically placed to hide the self-inflicted gunshot wound to her forehead.

Finally, and I promise I will stop, Kiyan Shelton, 2 years old, same week, Indianapolis, IN, shot and killed himself with a handgun that he found in his mother's purse. She had briefly stepped away when the toddler climbed on to the kitchen counter and reached for his mother's purse, where her cell phone was ringing, and he found the weapon. He fired the weapon, and he was wounded in his shoulder. In critical condition, he was quickly taken to a nearby hospital, but he died shortly thereafter.

A neighbor who lived across the street remembered that Kiyan had just learned how to ride a bicycle. He was out on his little bike with training wheels. Everybody knew his mother used to keep watch of the stray dogs in the neighborhood, trying to keep her son safe. He was 2 years old. He died because he was reaching for a ringing cell phone in his mom's bag and shot himself.

There is a way to solve this. I know we are not supposed to have props on the floor, but this is a cell phone. It opens and closes based on my fingerprint. There is technology ready and available to make sure that a weapon can only be fired by the owner of that weapon. Yet there is a pretty open conspiracy in the gun industry today to prevent that technology from becoming available to consumers. Smith & Wesson tried. They tried to develop a smart weapon, but they were boycotted. They were boycotted by the rest of the gun industry. When retailers have tried to sell smart guns in their stores, they have faced boycotts regularly and in some cases even threats of physical violence.

It doesn't make sense to most people. Why on Earth would the gun industry not want—or the gun lobby not want safe guns to be an option, to be available? From what I understand, it is rooted in a law that was passed a decade ago by New Jersey that says if smart-gun technology is developed, it will be mandatory. First, that is one State's law, so there is no national conspiracy to mandate that every single gun be a smart gun. But let's play this out. Let's say that technology was developed so that you could ensure that no gun could be fired if it wasn't fired by you or another authorized user of the gun. I think it would be logical for us to have a conversation as to whether that should be mandatory. Maybe we won't develop technology that is fail-safe enough. Maybe it will always make sense to have that as an option. But when we figured out how to make cars safer, we required that technology to be built in as a part of the car.

I don't think we are to the point where we could discuss making that technology mandatory on guns, but I wouldn't suggest that it should be something we should rule out. To the extent that a retailer or a gunmaker wants to invest in understanding how to make a gun more fail-safe, how to build in this kind of technology—whether it be your fingerprint or other biometrics, other guns connected to a wristband that you may wear—they should be able to sell those. They should be able to make them without facing reprisals from the rest of the gun lobby and the gun industry.

Shouldn't we try to do something to prevent these deaths, one every week last year? That is just people who were shot by toddlers, in addition to the dozens more children who accidentally injured or killed themselves with a weapon.

I struggle to try to figure out the ways in which we can come together on this issue. I certainly understand there are difficult compromises on issues like the prohibition of certain weapons. But smart-gun technology is something on which we should be able to come together.

The President has taken steps on his own. He has started a process by which Federal agencies would help to stimulate research in smart-gun technology, maybe with the goal of a pilot program being developed at a law enforcement agency to try to buy some of these weapons. The President has taken steps on his own, but we could do something together, and we should because it is only a problem here. It is not a problem anywhere else. To me, that has to tell us that we are doing it wrong and that there is something more we can do so that this reality—that U.S. children and teens are 17 times more likely to die from a gun than children in the 25 other high-income countries combined—isn't a reality for much longer. If there is anything we could do to stop there from being another Kiyan, another Sha'Quille, and another Holston, we should do it.

Mr. President, 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. WHITEHOUSE. 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. WHITEHOUSE. Mr. President, I ask unanimous consent that I be allowed to speak as in morning business for up to 20 minutes.

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, today I rise for the 136th time in my series of speeches on the continuing threat of global climate change. Real science—the peer-reviewed kind—continues to prove the established connection between carbon pollution and the startling changes we see in our climate and oceans, changes that are so profound that we will leave to our children and grandchildren a world very different from the one we knew growing up. Nonetheless, powerful fossil fuel interests still willfully spread disinformation about climate science. There are obvious similarities between the fossil fuel industry's denial of its products' climate effects and the tobacco industry's denial of its products' health effects. These similarities are sufficient that a proper inquiry should be made about pursuing a civil lawsuit like the one the Justice Department brought and won against Big Tobacco.

I have made that suggestion and, wow, did that set off an outburst. The rightwing climate denial outfits and the fossil fuel industry mouthpieces went into high gear. I think there were about 100 spontaneous reactions to my

Washington Post op-ed and to a related question that I asked Attorney General Lynch. This outburst was interesting. There was usually only a degree or two of separation between the outlets and mouthpieces engaged in this outburst and the fossil fuel industry. Most of the arguments were the same, with the same telling falsehoods, omissions, and oversights. Among these misstatements, various outlets said that the aim of any such investigation would be to ''silence climate dissidents'' and squelch ''independent thought''; indeed, that such an inquiry would be ''an affront to the scientific method.'' Any investigation of fraud would be an attack on science.

Well, maybe if most of your science is fraud, you see things that way, but the charge is just not true in any ordinary sense of the words involved. And the language was nearly hysterical. I was the Grand Inquisitor Torquemada and mighty ExxonMobil was lonely Galileo; the State attorneys general were involved in a ''Soviet-style investigation'' and ''gangster government.'' Oh, it was big talk indeed.

It does raise this question: If the Wall Street Journal editorial page and the other fossil fuel industry mouthpieces were such resolute guardians of the scientific method, where were they when actual peer-reviewed climate scientists were investigated and harassed and bullied for doing their jobs? We took a look, and here is what you see from the mouthpieces: possible civil investigation of the fossil fuel industry, massive indignation, actual investigations of legitimate climate scientists, silent equanimity.

Here is some of the history. This February, the chairman of the House Science Committee issued a government subpoena to NOAA Administrator Kathy Sullivan, seeking to investigate NOAA scientists' deliberative materials. And this was not the first time. The chairman issued a previous government subpoena against NOAA scientists after the journal Science published a NOAA report debunking the fossil-fuel-funded climate deniers' contention that global warming had paused. So the junior Senator from Rhode Island mentions a possible inquiry into fossil fuel industry fraud, and industry mouthpieces go ape. The committee chairman actually issues subpoenas against scientists and not a peep.

In 2005, the former chairman of the House Energy and Commerce Committee thought to investigate the personal emails of a climate scientist after he published a study showing the rapid increase in global temperatures. This investigative effort was so rank that even fellow Republicans objected. Sherwood Boehlert, then a Republican Congressman from New York, expressed his ''strenuous objections'' to the chairman's ''misguided and illegitimate investigation.'' Even with that public warning of a misguided and illegitimate investigation against scientists, there was not a peep from the mouthpieces.

In 2010, Attorney General Ken Cuccinelli of Virginia launched an investigation against a University of Virginia faculty member—a climate scientist, of course. The Attorney General served the University of Virginia with a series of civil investigative demands to produce documents related to the work of the offending UVA faculty member. Well, to its credit, UVA refused, and won a multiyear legal battle with the Attorney General that went all the way to the Virginia Supreme Court.

Again, attorneys general consider investigating the fossil fuel industry, and all the mouthpieces go ape. An actual attorney general harasses an actual climate scientist to the point where the university has to send its lawyers to defend him, and from the mouthpieces, there was not a peep through all those years of litigation.

In 2011, as the Cuccinelli investigation was underway, an oil industry front group called the American Tradition Institute, which is now known as the Energy & Environment Legal Institute, doubled down and sought identical materials from UVA through a Freedom of Information Act request. Again, UVA objected, and in 2014 the Supreme Court of Virginia unanimously threw that out, too, based on—and I quote the Supreme Court of Virginia—''the concept of academic freedom and the interest in protecting research.''

So you suggest an investigation of the industry, and the denial apparatus goes ape. But here an industry front group actually went out to investigate climate scientists in a way that caused the Supreme Court of Virginia to call in the concept of academic freedom against them. And they are still at it. Despite the UVA loss in court, the Energy & Environment Legal Institute has since filed FOIA requests against scientists at NASA, Texas A&M, Texas Tech, the University of Alabama in Huntsville, the University of Delaware, and the University of Arizona. That is some double standard.

In 2009, a hacker stole more than 1,000 emails and 3,000 other documents from climate scientists at the University of East Anglia in Britain who were working on a United Nations report on climate change. Naturally, the climate denial apparatus went to work to select passages from the emails to assert that the climate scientists manipulated data. This turned out after multiple—yes—investigations to be false. Six official investigations ensued, clearing everyone of any wrongdoing: a three-part Penn State University investigation, two separate reviews commissioned by the University of East Anglia, a United Kingdom Parliamentary report, an investigation by the NOAA inspector general's office, and an investigation by the National Science Foundation's inspector general's office.

Throughout all of these investigations of the climate scientists, was there a peep of concern out of these mouthpieces about investigative intrusion on science? Nope.

Here in this Chamber, a Senator, then the ranking member on the Environment and Public Works Committee, our senior Senator from Oklahoma, publicly called for a criminal investigation into American and British scientists who had worked on the U.N. report or had communications with the University of East Anglia's Climate Research Unit. The Senator claimed that scientific data ''was contrived and fabricated'' and that ''in an attempt to conceal the manipulation of climate data, information disclosure laws may have been violated.'' He even named 17 key players in the controversy, including—wouldn't you know it—that UVA scientist who had been the subject of harassment by the attorney general. His staff report suggested that the scientists violated fundamental ethical principles and ''may have violated Federal law.'' He called scientists at the Climate Research Unit ''scientists who commit crimes.''

Wow. There you go—a Senator calling for criminal investigation of actual climate scientists. That must have set these mouthpieces squawking about the intrusion of investigation into science; right? Well, actually, no. Again, there was not a peep of concern.

Mr. President, climate science constantly finds itself in the crosshairs of a climate denial apparatus that has an ugly side. InsideClimate News reports climate scientists often face death threats, vituperation, claims of fraud, and other forms of intimidation. And science is starting to look at that denial apparatus. Sound, peer-reviewed academic work shows how a carefully built apparatus of disinformation has been misleading the public and policymakers about the risks of carbon. That is scientific work. Sound, peer-reviewed academic scientific work shows how disinformation campaigns, funded by fossil fuel interests, have sowed doubt about climate science and have been effective in shaping American public opinion.

A recent study by 16 scientists, including John Cook of the University of Queensland, Naomi Oreskes of Harvard University, and Peter Doran of Louisiana State University, examined the discrepancy between what the public thinks and what scientists know about climate change, and they found ''the consensus that humans are causing recent global warming is shared by 90–100 percent of publishing climate scientists.'' Why the gap in public recognition from what the scientists know? Because of a persistent effort ''manufacturing doubt about the scientific consensus on climate change.''

Part of the work of this denial apparatus has been to harass and investigate climate scientists over and over and over again. So when these mouthpieces with one or two degrees of separation from the fossil fuel industry

have an outburst about the sanctity of science from any investigation, well, that deserves an eyebrow. And when the only time their concern for scientific integrity appears is when an investigation might look at the fossil fuel industry, but they are quiet as mice whenever actual climate scientists are being investigated, well, that merits further skepticism.

There are a lot of reasons why the scientific integrity argument doesn't apply to a fraud investigation of the fossil fuel industry and its front groups. Actually, there are too many reasons for me to go into here and now in the allotted time. But here is the bottom line. No. 1, the argument is a phony, designed to protect from investigation an industry that may well have engaged in deliberate fraud on a massive scale. No. 2, the clamor is phony, whipped up a hundredfold but through industry mouthpieces. And, No. 3, the sincerity is completely phony because the mouthpieces have had nothing to say for years, when real climate scientists were actually investigated. They only swung into action when the possibility emerged that the fossil fuel industry may have to face investigation for fraud.

There is a wooden cross in faraway Antarctica memorializing the Scott expedition to the South Pole. It is carved with the closing line from Alfred Lord Tennyson's ''Ulysses'': ''To strive, to seek, to find, and not to yield.''

To the real physicists, chemists, oceanographers, meteorologists, geologists, and climatologists actually engaged in climate science, let me say, you embody this spirit of discovery and perseverance. The real scientists have not shrunk in the face of fossil fuel threats, investigations, and intimidation. The fossil fuel campaign of denial has not stymied the flow of new climate research nor dimmed the fervor with which the real climate scientists pursue and share their knowledge. These men and women—hardworking and often unsung—deserve our praise, and, after some of the nonsense they have been put through, they probably also deserve an apology. But right now they must be looking on in wonderment—and, I hope, with some wry humor—at the sudden outburst of newfound concern from fossil fuel mouthpieces for the so-called sanctity of the scientific process. Of all the people to make that claim, this crew has the least business making it.

I yield the floor.

The PRESIDING OFFICER (Ms. AYOTTE). The Senator from Arkansas.

TRIBUTE TO MARY LORRAINE WOOD BORMAN

Mr. COTTON. Madam President, today I would like to honor Mary Lorraine Wood Borman, of Fayetteville, AR, as this week's Arkansan of the Week for her commitment to the National Down Syndrome Society as a self-advocate ambassador for the great State of Arkansas. Her advocacy to improve the quality of life for those living with Down syndrome is noteworthy, and she is a joy and inspiration to many across the State.

Outside her work as an activist, Mary is an involved and multitalented junior at Fayetteville High School in Fayetteville, AR. Not only does she excel academically—as indicated by her track record as an honor roll student—but she is also a gifted athlete and has won awards in swimming events at the Arkansas State Special Olympics for 3 years. Mary is also a talented dancer and actress, specializing in hip-hop, jazz, and the waltz.

I recently had the pleasure of meeting with Mary when she visited my Washington, DC, office while in town for the Buddy Walk, hosted each year by the National Down Syndrome Society. Because of Mary's advocacy and compelling reasoning, I cosponsored the ABLE to Work Act of 2016 shortly after our meeting. This bill will help persons with disabilities save additional amounts in their ABLE accounts.

Mary has big dreams, and I am confident she will achieve them. I look forward to keeping track of her many accomplishments in the future. Arkansas is lucky to have someone like Mary Borman fighting to make our State a better place, and I applaud her for her work. Her story is a testimony of our spirit as Arkansans, and I am certain it will inspire others to take action on causes they believe in.

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

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

TRIBUTE TO ADMIRAL WILLIAM GORTNEY

Mr. GARDNER. Madam President, I rise to recognize and commend ADM Bill Gortney, who will retire on June 1 of this year after 39 years of exceptional leadership and service to our country. Most recently, Admiral Gortney served as commander of the North American Aerospace Defense Command and U.S. Northern Command headquartered at Peterson Air Force Base in Colorado Springs, CO.

In his current capacity, Admiral Gortney is responsible for homeland defense, defense support for civil authorities, and theater security cooperation with Mexico and the Bahamas. Additionally, as head of the binational NORAD command with Canada, he is responsible for aerospace warning, aerospace control, and maritime warning in the defense of North America. For those of you who have children, I think you may know what NORAD also does, which is, of course, the very famous Santa tracker every year on Christmas Eve. It has been a tremendous pleasure to work closely with Admiral Gortney since joining the Senate. In particular, as the chairman of the Foreign Relations Subcommittee on East Asia and the Pacific, I have often sought his advice and counsel to gauge the threat of North Korea's nuclear and ballistic missile program to our homeland.

Born to William and Gloria Gortney in La Jolla, CA, Admiral Gortney is no stranger to military service. He is a second-generation naval aviator. His father retired as a captain in the Navy in 1970, after 28 years of service that included time in World War II, the Korean war, and Vietnam.

Admiral Gortney received his Wings of Gold in 1978 at Naval Air Station in Beeville, TX, and began an illustrious career as a naval aviator under the call sign ''shortney.''

Admiral Gortney has completed numerous successful fleet and staff assignments both in the United States and abroad. His first opportunity for command was on board the USS *Theodore Roosevelt* from 1994 to 1995. From there he amassed an impressive resume of command experience, including three command tours in the U.S. Central Command area of operations, providing support to maritime security operations and combat operations of Operations Enduring Freedom and Iraqi Freedom. These assignments included commander of U.S. Naval Forces Central Command/U.S. 5th Fleet/Combined Maritime Forces, Bahrain; commander of Carrier Strike Group 10 on board the USS *Harry S. Truman*; and commander of Carrier Air Wing 7 on board the USS *John F. Kennedy*.

His first flight tour was as the deputy chief of staff for Global Force Management and Joint Operations, U.S. Fleet Forces Command, Norfolk, VA. More recently, he served as director of the Joint Staff, then commanded U.S. Fleet Forces Command prior to taking command at NORAD and USNORTHCOM.

Admiral Gortney has flown over 5,360 mishap-free flight hours on the Corsair II and F/A–18 Hornet and completed 1,265 carrier-arrested landings. His military decorations include: the Defense Distinguished Service Medal, two awards; Navy Distinguished Service Medal, two awards; Defense Superior Service Medal; Legion of Merit, four awards; and Bronze Star, among many others.

From other nations, his military decorations include: the French National Order of the Legion of Honor Award; the Bahrain Medal, First Class; the Secretary of the National Defense for Mexico Military Merit 1st Class Medal; and Secretary of the Mexican Navy Naval Distinction 2nd Class Medal.

Admiral Gortney's unique combination of operational experience, charismatic leadership, and unyielding patriotism has served him well in a lifetime of military service. Today we honor his admirable service to our Nation and all the airmen, sailors, soldiers, marines, and civilians who have served alongside him.

We offer our heartfelt appreciation to Bill, his wife Sherry, their children Stephanie and Billy, daughter-in-law Jackie, and grandchildren Gavin and Grayson for all of their sacrifice and support to our country.

On behalf of the Senate and a grateful nation, I congratulate him on a job well done and wish him the best as he begins a hard-earned retirement. I just wish that his retirement would land him in Colorado Springs, but I think he has other ideas.

Admiral Gortney, we thank you for your service.

I yield the floor.

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 (Mr. GARDNER). Without objection, it is so ordered.

REMEMBERING BOB BENNETT

Mr. DURBIN. Mr. President, this morning I joined many of my colleagues in bidding a formal farewell to our colleague, Senator Bob Bennett, who died last week. It was great to see Senators from both sides of the aisle at Senator Bennett's viewing and funeral service. It was fitting. Bob Bennett was a proud conservative, he was an old-fashioned conservative, but he understood that the Senate only really works when we talk to each other and reason things out. He was old school. He understood that principled compromise is not a moral or political sin. It is an ideal we should strive for. It is how we solve big problems in America. It is the only way the Senate can work.

I served with Bob Bennett for years on the Senate Appropriations Committee. He was an honorable man, a dyed-in-the-wool fiscal conservative. He had an 84-percent lifetime approval rating from the American Conservative Union, but he was a real-world conservative, not an ideologue. No vote demonstrated that more clearly than the vote he cast in 2008 to create the Troubled Asset Relief Program, known as TARP.

I am not going to forget the day when Hank Paulson, Treasury Secretary under President George W. Bush, came to talk to us about the economy. Lehman Brothers had just declared bankruptcy. Secretary Paulson told us that the entire U.S. financial system could collapse within days, maybe hours. He warned that such a collapse of the U.S. financial system would trigger a global economic cataclysm.

Bob Bennett knew that he was taking a supreme political risk, but Bob Bennett voted to create the TARP program anyway. He risked his political career rather than risk the life savings of untold millions in America and around the world. He paid a price for it. In 2010 Bob Bennett became the first incumbent Senator in Utah in 70 years to lose reelection after he was toppled in his party caucus.

Senator Bennett challenged orthodoxy on a lot of other issues as well. Bob Bennett, a devout Mormon, supported embryonic stem cell research, with very careful restrictions. In 1996 he was one of only three Senators from his party to vote against amending the U.S. Constitution to criminalize flag-burning. He said that he thought flag-burning was reprehensible—as we all do—but that it occurred far too infrequently to warrant changing the Constitution. That amendment failed in the Senate by one vote.

When the Senate passed comprehensive immigration reform in 2006, Senator Bob Bennett of Utah was one of the many Members of his party to stand up and support it. Four years later, when the Senate voted on the DREAM Act—a key part of that earlier bill and one that I introduced 15 years ago—the political winds on the right had shifted dramatically. There were only three of my colleagues from across the aisle on the Republican side who supported passing the DREAM Act in 2010. Bob Bennett was one of them. I will never forget it. I will always be grateful to him for that courageous vote. He understood that we needed a realistic, humane way to deal with immigration in this Nation of immigrants.

Robert Bennett was a member of one of his State's leading families. His grandfather, Heber J. Grant, was the president of the Church of Jesus Christ of Latter-day Saints. His father, Wallace Bennett, served four terms in the Senate.

Bob came to Washington in 1962 to work as an aide in his father's office, when such arrangements were still allowed. In 1969 he took a job as a top congressional liaison for the U.S. Transportation Department under President Nixon. His short tenure at Transportation earned him an unlikely footnote in history. For decades, some conspiracy theorists speculated that he was Deep Throat—the Nixon administration insider who helped steer the Washington Post's Bob Woodward and Carl Bernstein in reporting the Watergate scandal. That theory was finally disproved with the death of former FBI Deputy Director Mark Felt, who was, in fact, the real Deep Throat.

Bob Bennett did not need public service. He had already built a successful career in business before he decided to run in 1992 for the seat his father once held. He took a pay cut to serve his State and our Nation in the Senate.

Bob Bennett and I disagreed on many issues. When we did, he was always principled and polite. I suspect that was a reflection of his upbringing, watching his father serve in the Senate, where Members of differing political parties could disagree without questioning the other Senator's motives.

In his last political race in 2010, Senator Bennett was targeted by the force we now refer to as the tea party. After his loss, he spoke to a reporter for the Salt Lake Tribune. He said, ''The political atmosphere obviously has been toxic, and it is very clear that some of the votes I have cast have added to that toxic environment.''

Then Bob Bennett said something that any Senator would be fortunate to be able to say at the end of his tenure. ''Looking back on them—with one or two very minor exceptions—I wouldn't have cast any of them any differently even if I'd known at the time it would cost me my career because I have always done the best I can to cast the vote that I think is best for the state and best for the country.''

I extend my condolences to Senator Bennett's family—a wonderful, large family—that includes his brother and sister, his widow Joyce, their six children—Julie, Robert, James, Wendy, Heather, and Heidi—and 20 grandchildren. There are so many of Bob Bennett's former staffers and friends who join me in paying this great tribute.

AMENDMENT NO. 3878

Mr. President, Congress is supposed to be working on an appropriations bill, and we were moving in that direction until the Senator from Arkansas sought to add an amendment to the Energy and Water appropriations bill. This amendment was designed to undermine the historic agreement that the Obama administration reached with Iran for the sole purpose of preventing Iran from acquiring nuclear weapons.

The Senator who offered this amendment had led an unprecedented letter to Iranian hardliners in the middle of President Obama's negotiations. He said to the hardliners in Iran—with a letter signed, I believe, by 46 other Republican letters—that they were wasting their time negotiating with this President, that whatever he agreed to would be undermined by Congress and particularly by the next President.

In all of the time I have followed the history of the Senate, I cannot remember a letter of that nature being sent by Senators of either political party to undermine a delicate negotiation involving peace in an important part of the world.

Now we are stuck until we deal with his amendment. Regardless of whether you agree with the Iran agreement, adding this amendment to the Energy and Water appropriations bill would destroy all of the hard work that Senators ALEXANDER and FEINSTEIN have put into drafting this bipartisan bill.

I wish to tell you why this amendment from the Senator from Arkansas is a poison pill. This amendment would prevent the Department of Energy from spending any fiscal year 2017 funds to purchase heavy water produced in Iran.

The JCPOA agreement closed four pathways through which Iran could get to breakout time for a nuclear weapon in less than a year. It bought valuable

time for Israel, for other nations in the Middle East, and for the United States before Iran could violate the agreement and build a nuclear weapon.

As part of this agreement, Iran agreed to limit the amount of heavy water it would accumulate. Any heavy water in excess of 130 metric tons had to be disposed of, moved out of Iran.

The Department of Energy has announced that its Isotope Program will purchase 32 metric tons of heavy water from Iran to fulfill a significant amount of the domestic heavy water needed in America for research and industrial applications. There is no American domestic source for this heavy water. This transaction provides U.S. industry with a critical product, and it enables Iran to rid itself of excess heavy water, ensuring this product will never be used for developing a nuclear weapon.

Heavy water is used in the development, production, and sale of compounds used in biomedical and diagnostic research such as MRIs and pharmaceutical development, as well as chemistry, physics, and environmental analysis.

A portion of this heavy water will be used at the Spallation Neutron Source, or SNS, at Oak Ridge National Laboratory in Tennessee. The heavy water will increase the intensity of the beam, which will—according to Laboratory Director Thom Mason—benefit hundreds of research teams.

While the administration does not anticipate undertaking another purchase of heavy water from Iran, we should not give up—with this amendment offered by the Senator from Arkansas—the ability to ensure that this material, which potentially could be used in Iran's nuclear industry, is instead put to use in the United States by our industry for peaceful research and product development.

The amendment offered by the Senator from Arkansas really focuses on one thing—to undermine this agreement with Iran. After we have seen tons of fissile material removed from Iran, 16,000 centrifuges destroyed, and a major potentially dangerous reactor decommissioned, this Senator from Arkansas believes it was a bad agreement and we ought to let the Iranians go about their business.

I couldn't disagree more. Taking this heavy water out of Iran makes that region of the world safer for Israel and for the other countries in the region. For Iran to keep this heavy water is a temptation that we should eliminate by defeating this amendment by the Senator from Arkansas.

His amendment will jeopardize an historic agreement that limits Iran's ability to produce nuclear arms. That is an important protection for the entire world. It would deny researchers and industries in our country a resource they need to make new scientific discoveries, medical diagnoses, and probably save lives. That is more than enough reason to reject the amendment being offered by the Senator from Arkansas.

I urge my colleagues to do so.

ZIKA VIRUS

Mr. President, 3 months ago, the President asked Congress for funding to help prepare for and combat the Zika virus. That very week I sat in an Appropriations Committee hearing with the representatives for the Centers for Disease Control and Prevention and the National Institutes of Health, who talked about how time sensitive that request was.

In the 13 weeks since that hearing, Republicans have put up roadblocks, set preconditions, and really mocked the administration for arguing that there was urgency to fight the Zika virus—a virus which is dangerous for pregnant women, children, and many others.

What has happened in the 13 weeks while the President's request for $1.9 billion has languished before the Republican-controlled Congress?

Over 1,100 Americans in 43 States, Washington, DC, and U.S. territories—including over 100 pregnant women—have contracted the Zika virus. Six more have contracted Guillain-Barre syndrome, an autoimmune disorder that can cause paralysis and death.

Recently, the first Zika-caused death was reported in Puerto Rico. In Illinois, 13 people have tested positive for Zika, with at least 3 pregnant women. Over the last 13 weeks, while the Republican leadership in Congress has ignored the President's request for emergency funding, we have learned even more about Zika and its danger. We now know it is linked to serious neurological damage and birth defects. We now know it can be sexually transmitted. Warmer weather is coming, and we know the spread of Zika will grow even worse. It seems as if everyone across the world recognizes the urgency of this public health threat to the United States except for the Republicans in Congress.

Last week, Major League Baseball announced it was canceling two scheduled ball games to be played in Puerto Rico because the players were concerned about contracting the Zika virus.

I spoke with CDC Director Tom Frieden 2 weeks ago. He told me this is no way to seriously fight a public health danger. We need a multiyear commitment so CDC, NIH, and public health departments can begin studies to understand the risks to others, improve our surveillance system, study how long these mosquitoes actually carry the virus, and develop a vaccine as quickly as possible.

The CDC takes this seriously. The Centers for Disease Control is the frontline of defense of the United States of America when it comes to public health danger. How seriously do they take the Zika virus? They have dedicated 1,000 staff members to fighting it. They understand this is a public health emergency, and we have a limited opportunity to catch up and try to stop its spread.

Last week I held a roundtable event in Chicago with local health department officials, medical professionals, and vector control experts. They are doing everything they can to prepare for Zika in high-risk areas—laying traps to collect mosquitoes for testing and ramping up health communications to providers and the public. We are lucky because in our part of the United States there is no evidence of the mosquito that is the carrier. However, travelers who have contracted the virus in other places can bring it back to our region, and they can be the carriers for it to be spread to other people.

As a major transportation hub in Chicago and Illinois, we must be prepared to deal with these travelers carrying the Zika virus. I have the highest confidence in our State and in local health officials, but they need a helping hand.

Because congressional Republicans have refused to pass the emergency supplemental Zika funding, the administration has been forced to divert resources from Illinois to States such as Florida, Texas, Louisiana, and Mississippi to fight Zika. We are taking public health resources out of other States to send them to the frontline States on the Zika virus. I understand it, but it is totally unnecessary. If the Republican leadership in Congress accepted their responsibility, took this seriously, and realized lives were at stake, we would have approved the President's emergency request long ago.

My State of Illinois and the city of Chicago just lost a total of $2 million in CDC public health emergency preparedness grants—money diverted from our State to deal with local public health challenges with the Zika virus in frontline States.

The Illinois Public Health Director told me: ''We don't get to be eight percent less prepared, even with eight percent less money'' from the CDC.

Health departments across Illinois use these grants to prepare and respond to outbreaks of all kinds, such as Ebola, Zika, and a new bacterial outbreak—Elizabethkingia. Already that has taken six people's lives in my State. So we are removing the money to protect the people in Illinois to go to the frontline of the Zika virus attack because the Republican majority in Congress will not approve the President's emergency supplemental request.

Robbing Peter to pay Paul is shortsighted. We need to ensure we aren't diverting necessary Ebola money to use for the Zika virus. I don't understand it. In the last election, many Republicans were making a big issue about Ebola and its threat to the United States, and now they are so sanguine and so calm as to take the money away from protecting us from the spread of Ebola and spend it on Zika on a temporary basis because

they won't address the serious threat of both problems. The CDC, incidentally, is reporting new flare-ups of Ebola in Guinea after learning that the virus can stay in a man's system for over a year. Just because it may not be front-page news anymore, the Ebola crisis, incidentally, is not over. Funding is still needed.

We have seen Zika coming for many months. We were warned, and we have had the administration's detailed comprehensive plan sitting on the desk of the Republican leaders in the House and Senate.

Right before Congress adjourned 2 weeks ago, Senate Democrats sent a letter to Republican leader Senator MITCH MCCONNELL urging immediate action on the Zika supplemental, and we introduced a bill to provide the necessary funding. We tried to bring it up. We were blocked by the Republican leadership.

So what do Republicans think we should do—send a memo to mosquitoes telling them not to buzz and bite until they get around to funding the President's emergency request?

I have news for them. The summer mosquito season is about to hit and hit hard in some parts of our country. Where this mosquito that carries the Zika can be found, people will be in danger.

Researchers at NASA have forecasted that by midsummer, cities nationwide, such as St. Louis, Kansas City, New York City—not just southern cities like Miami and Houston—could possibly be a venue for these Zika-carrying mosquitoes. They found that not just geography but rainfall, transportation hubs, and challenging socioeconomic conditions translate to less air conditioning and worse housing infrastructure. They can all contribute to the presence of these mosquitoes. We are learning more and more about Zika and the cases are growing.

As we near the summer travel season and we start hearing more about the Rio Olympic Games, inaction and further delay will put many women—particularly childbearing women—and their kids in danger.

I urge my Republican colleagues in both chambers: Work with us to approve this money this week before it is too late.

Mr. President, I ask unanimous consent to speak on one additional issue.

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

JUDICIAL NOMINATIONS

Mr. DURBIN. Mr. President, there are publications given to us on the floor of the Senate. One of them is the Executive Calendar.

This Executive Calendar and parts of it may be characterized as a political obituary column because, you see, these are the nominees of the Obama administration for important posts across America—the names on here—and many of them have been sitting for months and some for over a year, and they are waiting for Senate action.

So far this Congress we have approved 17 Federal judges—2 circuit court judges, and 15 district court judges. There are 20 judicial nominees still sitting on this calendar. You think to yourself: Well, they must be pretty controversial if they are still sitting on the calendar.

Every single one of them was reported unanimously from the Senate Judiciary Committee. There were no dissenting votes, no objections. Still they just sit and sit and sit on the calendar.

Why? Well, we know we have a serious problem with not just these 20, but there is the fact that we have 87 vacancies in the Federal judiciary, many of them in an emergency situation.

Why? Why in the world would some of these nominees, some of whom have been supported by Republican Senators—why aren't they being called for a vote, a routine vote on the floor of the Senate? It is part of the obstruction that the Republican Party has decided to make part of their leadership in the Senate. And, of course, exhibit A in that obstruction is the vacancy on the U.S. Supreme Court, occasioned by the untimely death of Justice Antonin Scalia.

It has been nearly 2 months since President Obama nominated Chief Judge Merrick Garland to fill the Scalia vacancy on the Supreme Court. It has been 3 months since Justice Scalia passed away—3 months—and still the Republican-led Senate has refused to consider President Obama's nominee to fill the Supreme Court vacancy. We ought to be doing that right now.

Today we received all of the investigative materials and binders and questionnaire answers from Judge Garland—boxes and boxes, thousands of pages—available to be reviewed by the Senate Judiciary Committee and every Member of the Senate. It is the Senate's constitutional obligation under article II, section 2, to provide advice and consent when the President submits such a nomination.

Mr. President, it is rare for a political figure or a publicly elected official to stand up and use the word ''never,'' but I am about to use it. We have never—never in the history of the U.S. Senate—denied a Supreme Court nominee from a President a hearing or a vote—never. For 100 years, these nominees have been sent through the Senate Judiciary Committee with a public hearing. And every pending nominee for an open Supreme Court vacancy has been voted upon at some point by Senators.

We had a press conference today, and we talked about the precedent. Senator FRANKEN of Minnesota noted the time when John Adams had lost the Presidential election but filled a vacancy on the Supreme Court by nominating John Marshall to be a member of that Court. So here was John Adams, a defeated President, making a nomination to fill a vacancy on the Supreme Court.

In the Senate, in those days, there were still Founding Fathers, men who had actually written the Constitution. Five of them were Members of the Senate when John Marshall's nomination came before them. If there was ever a lameduck, it was John Adams, who had been defeated for reelection and had a few months more to serve but who made a nomination for the Supreme Court and, by voice vote, the U.S. Senate approved him, including the five Founding Fathers who joined in that effort.

The argument being made on the Republican side is: Well, we can't fill this vacancy until after the election. We have to wait to see if President Trump will be chosen by the American people, and then he will get to fill this vacancy on the Supreme Court. Interesting. I missed it. I read the Constitution and thought for sure that President Obama was elected for 4 years in 2012. By the Republicans' math, it was 3 years and 2 months. He's a lameduck and has no power left. Well, they are wrong. By a margin of 5 million votes, Barack Obama was reelected President over Mitt Romney. Now this decision by the Republicans to stop this President from exercising his constitutional authority is just wrong.

What about Judge Garland? Judge Garland is one of the most extraordinary nominees ever presented to this Senate. He is now the chief judge of the DC Circuit Court. That is the second highest court in the land. He is well respected. He has received the endorsement of many different groups, and people who are conservative and liberal alike respect his judgment, as they should. He has done his job and done it well, but the Republicans in the Senate refuse to do their job. They say it is because they want the next President to fill that seat. I cannot even imagine the nominee that a President Donald Trump would send to the Senate.

Last week, the chairman of the Republican National Committee, a man named Reince Priebus, announced that Mr. Trump was the presumptive nominee of the Republican Party. It is astonishing to me that Senate Republicans would seriously want to put Donald Trump in charge of filling Supreme Court vacancies. How would they explain that to their constituents? Most of them are saying they are not even going to attend the Republican convention for fear of what it will do to their political reputations, and yet they are trusting the judgment of Donald Trump to shape the highest Court of the United States of America?

Make no mistake. By failing to move on Merrick Garland's nomination now in a timely and fair way, Republicans have cast their lot with Mr. Trump. That is a risky bet for the American people. The American people also understand Merrick Garland is well qualified and rock solid. Every week we see more praise for him.

Last week, nine former Solicitors General, Republicans and Democrats

alike, sent a public letter praising Judge Garland. The list of people who signed this letter includes prominent Republicans and Democrats: Ken Starr, Drew Days, Walter Dellinger, Ted Olson, and Paul Clement. We know the Solicitor General serves as the Federal Government's chief advocate before the U.S. Supreme Court. They know the Supreme Court as well as anyone, and they know a good judge when they see one. Here is what they said about Judge Garland:

As a group, we have argued hundreds of cases before the United States Supreme Court and the Federal Courts of Appeals. Each of us has served as the United States Government's top representative before the Supreme Court. And while we have served in different administrations, we are unified in our belief that Judge Garland is superbly qualified to serve on the Supreme Court if he were confirmed. We are confident that Judge Garland would bring his brilliance, work ethic, and broad experience to the cases that come before him.

That is very high praise, isn't it? Clearly, President Obama selected a nominee highly regarded by advocates who know the Supreme Court better than most. Yet my Republican colleagues will not even give this superbly qualified nominee the dignity of a public hearing. They would rather keep a Supreme Court seat vacant for more than a year and allow the Court to deadlock for a year with 4-to-4 votes on key cases and wait in hopes they can roll the dice with President Donald Trump and his Supreme Court nominee. It is hard to fathom how this strategy is respectful of the constitution or in the best interest of our Nation.

Not only are Senate Republicans failing to do their job in considering Judge Garland's nomination, they are obstructing 20 other well-qualified judicial nominees who are currently pending on the Senate floor.

The Senate Republicans, as I have said, have held votes on only 17 judicial nominees this Congress. That is the lowest total in decades, far fewer than the 68 judges the Democratic-controlled Senate confirmed in the last 2 years of George W. Bush's administration. Republicans are apparently content to leave vacancies on courts across the United States and even on the Supreme Court of the United States. Is that why they were elected, to leave vacancies on these courts? They cannot hide from the fact that there is a need in this country for competent jurists to guide us in these Federal courts.

I hope a few more of my Republican colleagues will come to their senses. Rather than saving judicial seats for Donald Trump to fill, they should do their job and give President Obama's well-qualified nominees a hearing and a vote, and they should start with Merrick Garland.

Mr. President, I ask unanimous consent to have printed in the RECORD the letter from these Solicitors General.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MAY 5, 2016.

Hon. MITCH MCCONNELL,
Majority Leader, U.S. Senate, Washington, DC.
Hon. HARRY REID,
Minority Leader, U.S. Senate, Washington, DC.
Hon. CHUCK GRASSLEY,
Chairman, Committee on the Judiciary, U.S. Senate, Washington, DC.
Hon. PATRICK LEAHY,
Ranking Member, Committee on the Judiciary, U.S. Senate, Washington, DC.

DEAR MAJORITY LEADER MCCONNELL, MINORITY LEADER REID, CHAIRMAN GRASSLEY, AND RANKING MEMBER LEAHY: Each of us headed the Office of the Solicitor General. Our service took place under both Republican and Democratic Presidents. We write collectively in support of Judge Merrick Garland's qualifications to serve as an Associate Justice of the United States Supreme Court. We believe that Judge Garland has demonstrated the temperament, intellect, and experience to serve in this capacity.

Merrick Garland has a history of excellence in the Law. He served in high ranking Justice Department posts, as a partner at a major law firm, an Assistant United States Attorney, a law clerk on the United States Supreme Court, a law clerk on the Second Circuit for the legendary Judge Henry Friendly, and, of course, for nearly the last two decades, as a Judge on the United States Court of Appeals for the D.C. Circuit. He presently serves as the Chief Judge of that Circuit, where he is known for his collegiality and is widely respected by his colleagues and litigants who have come before him.

As a group, we have argued hundreds of cases before the United States Supreme Court and the federal Courts of Appeals. Each of us has served as the United States Government's top representative before the Supreme Court. And while we have served in different Administrations, we are unified in our belief that Judge Garland is superbly qualified to serve on the Supreme Court if he were confirmed.

We are confident that Judge Garland would bring his brilliance, work ethic, and broad experience to the cases that come before him. Please do not hesitate to contact us if you have questions.

Respectfully submitted,

Neal K. Katyal (Acting Solicitor General, 2010–2011), Gregory G. Garre (Solicitor General, 2008–2009), Paul D. Clement (Solicitor General, 2005–2008), Theodore B. Olson (Solicitor General, 2001–2004), Barbara D. Underwood (Acting Solicitor General, 2001), Seth P. Waxman (Solicitor General, 1997–2001), Walter E. Dellinger III (Acting Solicitor General, 1996–1997), Drew S. Days III (Solicitor General, 1993–1996), Kenneth W. Starr (Solicitor General, 1989–1993).

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

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

MORNING BUSINESS

Mr. MCCONNELL. 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.

TRIBUTE TO VIETNAM VETERANS

Mr. SCOTT. Mr. President, I would like to say welcome home and thank you to our Vietnam veterans, our true American heroes, as our community honors their courage and allegiance today in Moncks Corner, SC. Their celebration, which took place on May 6, 2016, is one small way we can take the time to show gratitude and appreciation for the men and women who fought for our Nation.

With one brother in the military and one recently retired after 30 years, I know firsthand the sacrifices our veterans and their families have made in order to protect and serve our amazing country.

We should celebrate these heroes every day. It is our responsibility to say thank you in tangible ways, such as this party. The Vietnam war era was one of the most challenging in our Nation's history, and it is truly my honor to recognize the service of our brave veterans who sacrificed for our freedom. Their dedication will never be forgotten.

You all put your lives on the line for our country, and because of people like you, I am proud to be an American. Thank you for your service. You deserve praise, recognition, and respect. God Bless America.

ADDITIONAL STATEMENTS

RECOGNIZING THE UNIVERSITY OF MOUNT UNION CONCERT CHOIR

• Mr. BROWN. Mr. President, today I wish to honor the University of Mount Union Concert Choir as it continues its spring tour, which began Sunday, May 8, at the National Cathedral in Washington, DC.

Mount Union's concert choir prides itself as one of the oldest collegiate choirs in the United States and has been part of the school's history since 1896. Arts at the collegiate level can enrich the student experience, giving music students and nonmusic students the opportunity to practice their vocal or instrumental skills and share their talents with both the campus and the local community. The group, comprised of individuals from almost every academic department, is a testament to the school's strong liberal arts mission.

The group is led by Dr. Grant Cook III, the director of choral activities and an associate professor of music at Mount Union, an accomplished musician and conductor. His commitment

to the arts gives these vocalist the opportunity to do what they love and be part of a strong team of singers.

I am thrilled these young musicians have the opportunity to travel from Ohio to our Nation's Capital to kick off a tour that will take them from the National Cathedral to Virginia to Pennsylvania to New Jersey. This is an opportunity to see new parts of the country and show others what their university and our State have to offer.

I wish all the students the best for a safe tour, including Tim Anderson, Alexandria Augustine, Angelica Bartholomew, Erin Bell, Anthony Bucci, Ali Caldwell, George Carr, Ian Donaldson, Sarah Donkin, Collin Edwards, Nick Embrogno, Caelyn Eppler, Abbie Fox, Connor Funk, Elizabeth Galloway-Purcell, Bradley Geist, Victoria Ginty, Matt Gorman, Jennifer Gotschall, Ben Hayes, Zach Henkels, Kyle Herman, Sarah Hohenadel, Kenan Irish, Rachel Irwin, Zak Jaeb, Jacqueline Jepsen, Abigail Lantz, David Lenahan, Jason Lopez, Patrick McKitrick, Paige Morris, Marcus Morrison, Hunter Munroe, Megan Ostrofsky, Rebecca Passer, Jesse Reed, Natalie Ricciutti, Abbigail Robertson, Jacob Rogers, Emily Siedel, Clinton Simmons III, Mary Anne Snyder, Chris Tucker, Abigail Van Auken, Alex Waitinas, Haley Walls, Tony Walsh, Jenna Waterman, Tommy Wines, Sarah Yannie, Martin Zapata, and Megan Zwart.●

100TH ANNIVERSARY OF SINCLAIR OIL CORPORATION

● Mr. CRAPO. Mr. President, today I wish to recognize the 100th anniversary of the founding of Sinclair Oil Corporation.

Spanning a remarkable century of operation, Sinclair Oil has been resolute amid good and hard times in our Nation and helped shape our growing country. Built by the ingenuity and drive of Harry Ford Sinclair, Sinclair Oil employs more than 1,200 people nationwide. Harry F. Sinclair, who founded the company in 1916; Earl Holding, who purchased Sinclair Oil in 1976 and led the company for more than three decades; and Ross B. Mathews, who currently serves as chief executive officer of Sinclair, must be recognized for their innovation and determination in building Sinclair into an American pioneer. Their commitment and the support of their families and exceptional employees have enabled Sinclair to stand and succeed through the test of 100 years.

Sinclair Oil Corporation is immensely diversified. Twenty-four States are home to 1,300 Sinclair stations. The company is engaged in the exploration, refining, and distribution of gasoline, diesel, jet fuel, asphalt, and petrochemical feedstock. It also owns and operates cattle ranches and several renowned hotels and resorts, including Sun Valley Resort, The Grand America Hotel, and the Little America hotels and travel centers. The resourcefulness, skill, and initiative of the company's leadership and staff drive it forward into a new century of opportunity. I commend them all for the strong legacy they have built.

I have been blessed to have the Holdings as friends over the years. The Holdings were always very kind and supportive to my wife, Susan, and me, and I have valued the involvement Sinclair has had in shaping our communities, State, and Nation. America's success is built on the hard work and know-how of the men and women who have overcome challenges and turned their ideas into successful businesses that boost our economy and generate jobs. Countless individuals have benefited from Sinclair Oil Corporation and the goods and services it provides. I congratulate all those involved with the company on a century of achievements and wish them all the best for continued accomplishments.●

TRIBUTE TO UNIVERSITY OF KANSAS SCHOOL OF LAW PROFESSORS

● Mr. MORAN. Mr. President, education is a critical to ensuring a bright future for both individuals and our society at large. There is no more important or more noble profession than teaching. Many of us have had teachers who changed our lives—myself included—educators who taught us not only the facts and figures but also instilled in us a love for learning and an interest in the world beyond the city limits of our hometowns.

As a U.S. Senator representing the great State of Kansas and as an alumnus of the University of Kansas School of Law, it is my privilege to celebrate the careers of three outstanding legal academics: Mike Davis, Sandra Craig McKenzie, and Martin Dickinson.

Mike Davis began teaching at the University of Kansas School of Law in 1971, but his academic life in Kansas began years earlier. Davis earned his bachelor's degree with honors from Kansas State University in Manhattan, KS. After completing his undergraduate education, Davis attended the University of Michigan Law School, where he was an editor on the Michigan Law Review.

After earning his juris doctor and practicing law in the private sector, Davis went on to work with the Office of Economic Opportunity, culminating in becoming the associate director of planning and research for the legal services program. Davis then became a legislative assistant for Representative Louis Stokes before returning to Kansas to begin his career in teaching future lawyers.

Professor Davis joined the KU Law faculty in 1971 and has had an impactful and storied career. He earned the ''Immel Award for Teaching Excellence'' and the title of Centennial Teaching Professor of Law. In addition to earning teaching accolades, Davis served as dean of KU Law School for 9 years and served as the interim dean from 2005 to 2006. Outside his teaching duties, he served as the American Bar Association standards and accreditation committees chair and was of counsel to the Kansas City firm of Stinson Morrison Hecker for 20 years.

Colleagues at the law school praised Professor Davis's dedication to promoting the university's law school program. Students were also grateful for his commitment to maintaining a challenging and rewarding learning environment. The Kansas community thanks Mike Davis for his service, dedication, and contributions to the university's law school and the State of Kansas.

Sandra Craig McKenzie arrived at KU Law in 1979 and has been a positive presence in Kansas ever since.

McKenzie's legal life did not begin in our State, but she arrived in Lawrence with high accolades. McKenzie earned a bachelor's degree from the University of New Mexico and then went on to the University of New Mexico's School of Law, where she graduated magna cum laude and was a member of the New Mexico Law Review.

After the receipt of her juris doctor, McKenzie went on to serve as a law clerk to the Honorable Oliver Seth of the U.S. Court of Appeals for the Tenth Circuit and later spent 4 years working in tax and estate planning in Albuquerque before turning her talents to teaching.

Sandra Craig McKenzie joined the KU Law faculty in 1979 as one of the institution's first female law professors. Professor McKenzie was KU Law's Elder Law LL.M. program director and an esteemed contributor to the elder law community, as well as a sought-after voice in Kansas local government law. McKenzie served as the law school's ombudsman and was a member of Phi Beta Kappa, Phi Kappa Phi, and the Order of the Coif.

Friends and colleagues say her tenure was marked by accessibility as a teacher, dedication to women in the law, and leadership in making KU's law community a safe and equitable space for all students. The University of Kansas was without question enriched by Sandra McKenzie's committed 36-year career at the school of law, and her many contributions are appreciated throughout the university community.

Martin B. Dickinson is the longest serving faculty member at the University of Kansas School of Law, where his distinguished 48-year tenure has earned him the highest regard from the university community. Dickinson received a bachelor of arts degree from KU in 1960 and then went on to receive a master of arts degree from Stanford University in 1961 and his juris doctor from the University of Michigan in 1964, where he was editor-in-chief of the Michigan Law Review. After finishing at Michigan, Dickinson became an associate at Holme, Roberts & Owen in Denver, where he practiced until joining KU Law.

Dickinson joined the KU Law faculty in 1967 and quickly rose through the ranks, moving from assistant professor to associate professor in just 2 years. In 1971, Dickinson was named dean and professor of law at KU, a title he held until 1980. While serving as dean, Dickinson made great strides in strengthening the school's profile both in Kansas and nationally, creating new admission criteria, successfully appealing to the Kansas Legislature to fund a new building for KU Law and recruiting outstanding new faculty. These accomplishments put the KU Law community on a path toward growth and sustainability, and the university thanks him for these contributions.

As his impressive decade as dean drew to a close, Dean Dickinson returned his focus to teaching alongside an of cousel position at Barber, Emerson, Springer, Zinn & Murray in Lawrence, KS.

He also served on numerous State-level advisory committees related to property taxes, income tax, estate tax, and trust administration—all of which have made recommendations leading to important revisions of Kansas law. Additonally, Dean Dickinson gained nationally recognized authority in estate planning and taxation and became a coauthor of standard publications in those fields.

In 1986, Professor Dickinson was named the Robert A. Schroeder Distinguished Professor of Law, KU Law's top honor. As a highly respected teacher and mentor in the KU Law community, Dickinson also received other top awards, including: the ''Chancellor's Award for Excellence'' in 1988; the ''Moreau Student Counseling Award'' in 1988, 1995, 1997, and 2009; the ''Immel Award for Teaching Excellence'' in 1997; and a Kemper Fellowship for Teaching Excellence in 2002.

The Kansas Bar Association conferred the ''President's Award for Outstanding Service'' on Dickinson, as well as the Phil Lewis Medal of Distinction. He also received the ''ALI-ABA Harrison Tweed Award'' for excellence in continuing legal education and is a fellow at the American College of Trust and Estate Counsel, the American College of Tax Counsel, and the American Bar Foundation.

Professor Dickinson retired from the University of Kansas School of Law in 2015, as professor emeritus, leaving behind a rich legacy that has deeply impacted the entire KU community. The university will remember Dean Dickinson as a highly respected teacher, mentor, and friend.

In the fall 2015 edition of the KU Law magazine, Dickinson was quoted as saying, ''Over the last five decades, KU Law has demonstrated an impressive capacity to respond to changes in Kansas, the nation, the world and the legal profession while continuing to honor its rich tradition.''

It is without question that KU Law has been able to navigate these changes because of Martin Dickinson's leadership, and KU's continuing tradition is no doubt marked by his impressive tenure at KU Law.

Professors Dickinson, McKenzie, and Davis were intrumental in my own education and those of countless others. The products of their work, within academia and beyond, are vast, and my words today seek to reflect those contributions to the University of Kansas, the State itself, and the many communities to where their lessons were extended by way of their former students. As Professors Davis, McKenzie, and Dickinson near retirement, let us say thank you and celebrate their accomplished careers and the impact they had on the University of Kansas, their communities, and the State of Kansas.●

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. VITTER, from the Committee on Small Business and Entrepreneurship:

Special Report entitled ''Summary of Legislative and Oversight Activities During the 113th Congress'' (Rept. No. 114–252).

By Mr. ROBERTS, from the Committee on Agriculture, Nutrition, and Forestry, without amendment:

S. 2917. An original bill to reauthorize the Commodity Futures Trading Commission, to ensure protections of futures customers, to provide relief for farmers, ranchers, and end-users that manage risk to help keep consumer costs low, and for other purposes.

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. BOOKER (for himself and Mr. MENENDEZ):

S. 2908. A bill to designate the facility of the United States Postal Service located at 1265 Hurffville Road in Deptford Township, New Jersey, as the ''First Lieutenant Salvatore S. Corma II Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

By Mr. NELSON (for himself and Mr. RUBIO):

S. 2909. A bill to amend the Terrorism Risk Insurance Act of 2002 to allow for the use of certain assets of foreign persons and entities to satisfy certain judgments against terrorist parties, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. ROUNDS:

S. 2910. A bill to require the Secretary of Defense to implement processes and procedures to provide expedited treatment of fetal anomalies under the TRICARE program; to the Committee on Armed Services.

By Mr. GRASSLEY:

S. 2911. A bill to amend the Packers and Stockyards Act, 1921, to make it unlawful for a packer to own, feed, or control livestock intended for slaughter; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. JOHNSON:

S. 2912. A bill to authorize the use of unapproved medical products by patients diagnosed with a terminal illness in accordance with State law, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FRANKEN (for himself and Ms. KLOBUCHAR):

S. 2913. A bill to amend titles 10 and 38, United States Code, to provide certain benefits in connection with service in the Selected Reserve for preplanned missions in support of the combatant commands, and for other purposes; to the Committee on Armed Services.

By Mr. GRASSLEY (for himself and Ms. KLOBUCHAR):

S. 2914. A bill to amend the Foreign Narcotics Kingpin Designation Act to protect classified information in Federal court challenges; to the Committee on the Judiciary.

By Mr. FLAKE:

S. 2915. A bill to enhance public awareness of federally funded research and development projects, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. UDALL (for himself and Mr. HEINRICH):

S. 2916. A bill to provide that the pueblo of Santa Clara may lease for 99 years certain restricted land, and for other purposes; to the Committee on Indian Affairs.

By Mr. ROBERTS:

S. 2917. An original bill to reauthorize the Commodity Futures Trading Commission, to ensure protections of futures customers, to provide relief for farmers, ranchers, and end-users that manage risk to help keep consumer costs low, and for other purposes; from the Committee on Agriculture, Nutrition, and Forestry; placed on the calendar.

By Mr. TESTER:

S. 2918. A bill to amend title 5, United States Code, to clarify the eligibility of employees of a land management agency in a time-limited appointment to compete for a permanent appointment at any Federal agency, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. Res. 460. A resolution commemorating the 50th anniversary of Cascade Head Preserve, an Oregon natural icon; to the Committee on Energy and Natural Resources.

ADDITIONAL COSPONSORS

S. 257

At the request of Mr. MORAN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 257, a bill to amend title XVIII of the Social Security Act with respect to physician supervision of therapeutic hospital outpatient services.

S. 368

At the request of Mr. TOOMEY, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 368, a bill to amend title 18, United States Code, to require that the Director of the Bureau of Prisons ensure that each chief executive officer of a Federal penal or correctional institution provides a secure storage area located outside of the secure perimeter of the Federal penal or correctional institution for firearms carried by certain employees of the Bureau of Prisons, and for other purposes.

S. 386

At the request of Mr. THUNE, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 386, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 498

At the request of Mr. CORNYN, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 498, a bill to allow reciprocity for the carrying of certain concealed firearms.

S. 539

At the request of Mr. CARDIN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 539, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 579

At the request of Mr. GRASSLEY, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 579, a bill to amend the Inspector General Act of 1978 to strengthen the independence of the Inspectors General, and for other purposes.

S. 624

At the request of Mr. BROWN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 624, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 681

At the request of Mrs. GILLIBRAND, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 681, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 683

At the request of Mr. BOOKER, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 683, a bill to extend the principle of federalism to State drug policy, provide access to medical marijuana, and enable research into the medicinal properties of marijuana.

S. 752

At the request of Mr. CRAPO, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 752, a bill to establish a scorekeeping rule to ensure that increases in guarantee fees of Fannie Mae and Freddie Mac shall not be used to offset provisions that increase the deficit.

S. 857

At the request of Ms. STABENOW, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 857, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of an initial comprehensive care plan for Medicare beneficiaries newly diagnosed with Alzheimer's disease and related dementias, and for other purposes.

S. 1112

At the request of Mr. FRANKEN, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 1112, a bill to amend the Occupational Safety and Health Act of 1970 to expand coverage under the Act, to increase protections for whistleblowers, to increase penalties for high gravity violations, to adjust penalties for inflation, to provide rights for victims or their family members, and for other purposes.

S. 1277

At the request of Ms. HIRONO, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1277, a bill to improve energy savings by the Department of Defense, and for other purposes.

S. 1555

At the request of Ms. HIRONO, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1555, a bill to award a Congressional Gold Medal, collectively, to the Filipino veterans of World War II, in recognition of the dedicated service of the veterans during World War II.

S. 1562

At the request of Mr. WYDEN, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 1562, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 1566

At the request of Mr. FRANKEN, the names of the Senator from Delaware (Mr. COONS) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 1566, a bill to amend the Public Health Service Act to require group and individual health insurance coverage and group health plans to provide for coverage of oral anticancer drugs on terms no less favorable than the coverage provided for anticancer medications administered by a health care provider.

S. 1831

At the request of Mr. TOOMEY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1831, a bill to revise section 48 of title 18, United States Code, and for other purposes.

S. 2067

At the request of Mr. WICKER, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Arkansas (Mr. COTTON) were added as cosponsors of S. 2067, a bill to establish EUREKA Prize Competitions to accelerate discovery and development of disease-modifying, preventive, or curative treatments for Alzheimer's disease and related dementia, to encourage efforts to enhance detection and diagnosis of such diseases, or to enhance the quality and efficiency of care of individuals with such diseases.

S. 2151

At the request of Mr. THUNE, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 2151, a bill to amend the Public Health Service Act to provide liability protections for volunteer practitioners at health centers under section 330 of such Act.

S. 2230

At the request of Mr. CRUZ, the names of the Senator from Oklahoma (Mr. INHOFE), the Senator from Kansas (Mr. ROBERTS) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 2230, a bill to require the Secretary of State to submit a report to Congress on the designation of the Muslim Brotherhood as a foreign terrorist organization, and for other purposes.

S. 2386

At the request of Mrs. GILLIBRAND, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2386, a bill to authorize the establishment of the Stonewall National Historic Site in the State of New York as a unit of the National Park System, and for other purposes.

S. 2388

At the request of Mr. CRUZ, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 2388, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide for reciprocal marketing approval of certain drugs, biological products, and devices that are authorized to be lawfully marketed abroad, and for other purposes.

S. 2440

At the request of Mr. DAINES, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 2440, a bill to amend the Real ID Act of 2005 to repeal provisions requiring uniform State driver's licenses and State identification cards, and for other purposes.

S. 2464

At the request of Mr. PAUL, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 2464, a bill to implement equal protection under the 14th Amendment to the Constitution of the United States for the right to life of each born and preborn human person.

S. 2487

At the request of Mrs. BOXER, the names of the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Wisconsin (Ms. BALDWIN) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 2487, a bill to direct the Secretary of Veterans Affairs to identify mental health care and suicide prevention programs and metrics that are effective in treating women veterans as part of the evaluation of such programs by the Secretary, and for other purposes.

S. 2595

At the request of Mr. CRAPO, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 2595, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 2605

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2605, a bill to amend title XIX of the Social Security Act to provide States with an option to provide medical assistance to individuals between the ages of 22 and 64 for inpatient services to treat substance use disorders at certain facilities, and for other purposes.

S. 2628

At the request of Mr. COONS, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2628, a bill to authorize the National Emergency Medical Services Memorial Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

S. 2653

At the request of Mrs. MURRAY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 2653, a bill to direct the Secretary of Education to establish an award program recognizing excellence exhibited by public school system employees providing services to students in prekindergarten through higher education.

S. 2675

At the request of Mr. MENENDEZ, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2675, a bill to provide for the adjustment of the debts of the Commonwealth of Puerto Rico, and for other purposes.

S. 2676

At the request of Mr. MENENDEZ, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2676, a bill to provide for the adjustment of the debts of the Commonwealth of Puerto Rico, and for other purposes.

S. 2686

At the request of Mr. ALEXANDER, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 2686, a bill to clarify the treatment of two or more employers as joint employers under the National Labor Relations Act.

S. 2707

At the request of Mr. SCOTT, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 2707, a bill to require the Secretary of Labor to nullify the proposed rule regarding defining and delimiting the exemptions for executive, administrative, professional, outside sales, and computer employees, to require the Secretary of Labor to conduct a full and complete economic analysis with improved economic data on small businesses, nonprofit employers, Medicare or Medicaid dependent health care providers, and small governmental jurisdictions, and all other employers, and minimize the impact on such employers, before promulgating any substantially similar rule, and to provide a rule of construction regarding the salary threshold exemption under the Fair Labor Standards Act of 1938, and for other purposes.

S. 2748

At the request of Ms. BALDWIN, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 2748, a bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, social work schools, and other programs, including physician assistant education programs, to promote education and research in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

S. 2756

At the request of Mr. ROUNDS, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 2756, a bill to impose sanctions with respect to Iranian persons responsible for knowingly engaging in significant activities undermining cybersecurity, and for other purposes.

S. 2770

At the request of Mr. ROBERTS, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 2770, a bill to amend the Communications Act of 1934 to require providers of a covered service to provide call location information concerning the telecommunications device of a user of such service to an investigative or law enforcement officer in an emergency situation involving risk of death or serious physical injury or in order to respond to the user's call for emergency services.

S. 2826

At the request of Mr. WARNER, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 2826, a bill to ensure the effective and appropriate use of the Lowest Price Technically Acceptable source selection process.

S. 2840

At the request of Mr. CORNYN, the names of the Senator from Indiana (Mr. DONNELLY), the Senator from West Virginia (Mr. MANCHIN) and the Senator from Kentucky (Mr. MCCONNELL) were added as cosponsors of S. 2840, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize COPS grantees to use grant funds for active shooter training, and for other purposes.

S. 2897

At the request of Mr. BLUMENTHAL, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2897, a bill to amend title 9, United States Code, with respect to arbitration.

S. 2903

At the request of Mr. REID, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2903, a bill to award a Congressional Gold Medal to former United States Senator Max Cleland.

S. RES. 373

At the request of Ms. HIRONO, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. Res. 373, a resolution recognizing the historical significance of Executive Order 9066 and expressing the sense of the Senate that policies that discriminate against any individual based on the actual or perceived race, ethnicity, national origin, or religion of that individual would be a repetition of the mistakes of Executive Order 9066 and contrary to the values of the United States.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 460—COMMEMORATING THE 50TH ANNIVERSARY OF CASCADE HEAD PRESERVE, AN OREGON NATURAL ICON

Mr. WYDEN (for himself and Mr. MERKLEY) submitted the following resolution; which was referred to the Committee on Energy and Natural Resources:

S. RES. 460

Whereas 2016 marks the 50th anniversary of Cascade Head Preserve, a 270-acre preserve that is located north of Lincoln City, Oregon, and was protected from development in 1966;

Whereas, nestled within lands managed by the United States Forest Service, Cascade Head Preserve is home to many species of wildlife, plants, and grassland communities that were once abundant along the Oregon coast;

Whereas the local community and volunteers helped protect Cascade Head Preserve 50 years ago and, along with The Nature Conservancy, have remained actively engaged in its stewardship;

Whereas Cascade Head Preserve, along with the adjacent segment of the Siuslaw National Forest, has been recognized as a National Scenic Research Area and a United Nations Biosphere Reserve for its ecological significance;

Whereas it is estimated that more than 15,000 people visit Cascade Head Preserve annually, using it as a laboratory of nature to learn about grassland restoration and threatened species, such as the Oregon silverspot butterfly, or to enjoy recreational activities along the Pacific Ocean and its coastal estuaries;

Whereas Cascade Head Preserve is known for harboring rare and endemic plants, including 99 percent of the known Cascade Head catchfly flower population;

Whereas Cascade Head Preserve has hosted teams of well-known ecologists and experts from universities, zoological institutions, and Federal and State agencies who have employed cutting-edge science to catch, rear

in captivity, and reintroduce into nature the threatened Oregon silverspot butterfly;

Whereas tourism and recreation in Cascade Head Preserve have helped stimulate the local economy by supporting seasonal and full-time jobs and by driving economic activity along the Oregon coast; and

Whereas Cascade Head Preserve also serves as a classroom for youth from across the United States who learn about the importance of restoring habitats adjacent to Cascade Head Preserve, including the restoration of tidal wetlands that provide a vital habitat for salmon and the recent protection of 122 square miles of marine reserves along the Oregon coast, which support community fisheries and local livelihoods: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the 50th anniversary of Cascade Head Preserve; and

(2) applauds the outstanding commitment of the stewards of Cascade Head Preserve, naturalists, volunteers, and community leaders for—

(A) protecting the ecological significance of Cascade Head Preserve; and

(B) supporting the local economy through tourism and recreation.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3890. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table.

SA 3891. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3892. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3893. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 2028, supra; which was ordered to lie on the table.

SA 3894. Mr. MCCONNELL (for Mrs. ERNST) proposed an amendment to the bill H.R. 4336, to amend title 38, United States Code, to provide for the burial in Arlington National Cemetery of the cremated remains of certain persons whose service has been determined to be active service.

SA 3895. Mr. MCCONNELL (for Mrs. ERNST) proposed an amendment to the bill H.R. 4336, supra.

TEXT OF AMENDMENTS

SA 3890. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On line 1, strike ''4 days'' and insert the following: ''3 days''.

SA 3891. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

This Act shall become effective 4 days after enactment.

SA 3892. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

This Act shall become effective 1 day after enactment.

SA 3893. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 2028, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

This Act shall become effective 2 days after enactment.

SA 3894. Mr. MCCONNELL (for Mrs. ERNST) proposed an amendment to the bill H.R. 4336, to amend title 38, United States Code, to provide for the burial in Arlington National Cemetery of the cremated remains of certain persons whose service has been determined to be active service; as follows:

On page 2, line 1, strike ''**BURIAL**'' and insert ''**INURNMENT**''.

On page 2, line 8, strike ''that'' and insert ''that,''.

On page 2, line 11, insert ''above ground'' before ''inurnment''.

SA 3895. Mr. MCCONNELL (for Mrs. ERNST) proposed an amendment to the bill H.R. 4336, to amend title 38, United States Code, to provide for the burial in Arlington National Cemetery of the cremated remains of certain persons whose service has been determined to be active service; as follows:

Amend the title so as to read: ''An Act to amend title 38, United States Code, to provide for the inurnment in Arlington National Cemetery of the cremated remains of certain persons whose service has been determined to be active service.''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. COTTON. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 10, 2016, at 10 a.m., in room SR–253 of the Russell Senate Office Building.

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

COMMITTEE ON FINANCE

Mr. COTTON. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on May 10, 2016, at 2 p.m., in room SD–215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Can Evidence Based Practices Improve Outcomes for Vulnerable Individuals and Families?''

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

COMMITTEE ON FOREIGN RELATIONS

Mr. COTTON. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 10, 2016, at 10 a.m., to conduct a hearing entitled ''Terrorism and Instability in Sub-Saharan Africa.''

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. COTTON. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on May 10, 2016, at 10 a.m., in room SD–430 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Understanding Dyslexia: The Intersection of Scientific Research & Education.''

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

COMMITTEE ON THE JUDICIARY

Mr. COTTON. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on May 10, 2016, at 9:30 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Oversight and Reauthorization of the FISA Amendments Act: The Balance between National Security, Privacy and Civil Liberties.''

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. COTTON. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 10, 2016, at 2:30 p.m., in room SH–219 of the Hart Senate Office Building.

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

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

Mr. COTTON. Mr. President, I ask unanimous consent that the Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate on May 10, 2016, at 3:30 p.m.

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

SUBCOMMITTEE ON PERSONNEL

Mr. COTTON. Mr. President, I ask unanimous consent that the Subcommittee on Personnel of the Committee on Armed Services be authorized to meet during the session of the Senate on May 10, 2016, at 11 a.m.

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

SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

Mr. COTTON. Mr. President, I ask unanimous consent that the Subcommittee on Readiness and Management Support of the Committee on Armed Services be authorized to meet during the session of the Senate on May 10, 2016, at 2 p.m.

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

SUBCOMMITTEE ON SEAPOWER

Mr. COTTON. Mr. President, I ask unanimous consent that the Subcommittee on Seapower of the Committee on Armed Services be authorized to meet during the session of the Senate on May 10, 2016, at 9:30 a.m.

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

SUBCOMMITTEE ON STRATEGIC FORCES

Mr. COTTON. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on May 10, 2016, at 5:30 p.m.

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

PRIVILEGES OF THE FLOOR

Mr. SULLIVAN. Mr. President, I also ask unanimous consent that privileges of the floor be granted to the following member of my staff: Dave Deptula, during the remainder of today's session.

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

CHILDREN OF FALLEN HEROES SCHOLARSHIP ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the HELP Committee be discharged from further consideration of S. 1352 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1352) to increase Federal Pell Grants for the children of fallen public safety officers, and for other purposes.

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

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

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

The bill (S. 1352) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1352

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Children of Fallen Heroes Scholarship Act''.

SEC. 2. CALCULATION OF ELIGIBILITY.

Section 473(b) of the Higher Education Act of 1965 (20 U.S.C. 1087mm(b)) is amended—

(1) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by inserting ''(in the case of a student who meets the requirement of subparagraph (B)(i)), or academic year 2015–2016 (in the case of a student who meets the requirement of subparagraph (B)(ii)),'' after ''academic year 2009–2010''; and

(B) by amending subparagraph (B) to read as follows:

''(B) whose parent or guardian was—

''(i) a member of the Armed Forces of the United States and died as a result of performing military service in Iraq or Afghanistan after September 11, 2001; or

''(ii) actively serving as a public safety officer and died in the line of duty while performing as a public safety officer; and'';

(2) in paragraph (3)—

(A) by striking ''Notwithstanding'' and inserting the following:

''(A) ARMED FORCES.—Notwithstanding'';

(B) by striking ''paragraph (2)'' and inserting ''subparagraphs (A), (B)(i), and (C) of paragraph (2)''; and

(C) by adding at the end the following:

''(B) PUBLIC SAFETY OFFICERS.—Notwithstanding any other provision of law, unless the Secretary establishes an alternate method to adjust the expected family contribution, for each student who meets the requirements of subparagraphs (A), (B)(ii), and (C) of paragraph (2), a financial aid administrator shall—

''(i) verify with the student that the student is eligible for the adjustment;

''(ii) adjust the expected family contribution in accordance with this subsection; and

''(iii) notify the Secretary of the adjustment and the student's eligibility for the adjustment.''; and

(3) by adding at the end the following:

''(4) TREATMENT OF PELL AMOUNT.—Notwithstanding section 1212 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796d–1), in the case of a student who receives an increased Federal Pell Grant amount under this section, the total amount of such Federal Pell Grant, including the increase under this subsection, shall not be considered in calculating that student's educational assistance benefits under the Public Safety Officers' Benefits program under subpart 2 of part L of title I of such Act.

''(5) DEFINITION OF PUBLIC SAFETY OFFICER.—For purposes of this subsection, the term 'public safety officer' means—

''(A) a public safety officer, as defined in section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796b); or

''(B) a fire police officer, defined as an individual who—

''(i) is serving in accordance with State or local law as an officially recognized or designated member of a legally organized public safety agency;

''(ii) is not a law enforcement officer, a firefighter, a chaplain, or a member of a rescue squad or ambulance crew; and

''(iii) provides scene security or directs traffic—

''(I) in response to any fire drill, fire call, or other fire, rescue, or police emergency; or

''(II) at a planned special event.''.

SEC. 3. CALCULATION OF PELL GRANT AMOUNT.

Section 401(b)(2) of the Higher Education Act of 1965 (20 U.S.C. 1070a(b)(2)) is amended—

(1) in subparagraph (A), in the matter preceding clause (i), by striking ''The Amount'' and inserting ''Subject to subparagraph (C), the amount''; and

(2) by adding at the end the following new subparagraph:

''(C) In the case of a student who meets the requirements of subparagraphs (A), (B)(ii), and (C) of section 473(b)(2)—

''(i) clause (ii) of subparagraph (A) of this paragraph shall be applied by substituting 'from the amounts appropriated in the last enacted appropriation Act applicable to that award year, an amount equal to the amount of the increase calculated under paragraph (7)(B) for that year' for 'the amount of the increase calculated under paragraph (7)(B) for that year'; and

''(ii) such student—

''(I) shall be provided an amount under clause (i) of this subparagraph only to the extent that funds are specifically provided in advance in an appropriation Act to such students for that award year; and

''(II) shall not be eligible for the amounts made available pursuant to clauses (i) through (iii) of paragraph (7)(A).''.

SEC. 4. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SEC. 5. EFFECTIVE DATE.

This Act, and the amendments made by this Act, shall take effect on July 1, 2015.

AMERICAN MANUFACTURING COMPETITIVENESS ACT OF 2016

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4923, which was received from the House.

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

The legislative clerk read as follows:

A bill (H.R. 4923) to establish a process for the submission and consideration of petitions for temporary duty suspensions and reductions, and for other purposes.

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

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

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

The bill (H.R. 4923) was ordered to a third reading, was read the third time, and passed.

PROVIDING FOR THE BURIAL IN ARLINGTON NATIONAL CEMETERY OF THE CREMATED REMAINS OF CERTAIN PERSONS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of H.R. 4336 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4336) to amend title 38, United States Code, to provide for the burial in Arlington National Cemetery of the cremated remains of certain persons whose service has been determined to be active service.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Ernst amendment be agreed to, the bill, as amended, be read a third time and passed, the Ernst title amendment be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The amendment (No. 3894) was agreed to, as follows:

(Purpose: To improve the bill)

On page 2, line 1, strike ''**BURIAL**'' and insert ''**INURNMENT**''.

On page 2, line 8, strike ''that'' and insert ''that,''.

On page 2, line 11, insert ''above ground'' before ''inurnment''.

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

The bill was read the third time.

The bill (H.R. 4336), as amended, was passed.

The amendment (No. 3895) was agreed to, as follows:

(Purpose: To amend the title)

Amend the title so as to read: ''An Act to amend title 38, United States Code, to provide for the inurnment in Arlington National Cemetery of the cremated remains of certain persons whose service has been determined to be active service.''.

RECOGNIZING HAFSAT ABIOLA, KHANIM LATIF, YOANI SANCHEZ, AND AKANKSHA HAZARI FOR THEIR SELFLESSNESS AND DEDICATION TO THEIR RESPECTIVE CAUSES

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 450, S. Res. 418.

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

The legislative clerk read as follows:

A resolution (S. Res. 418) recognizing Hafsat Abiola, Khanim Latif, Yoani Sanchez, and Akanksha Hazari for their selflessness and dedication to their respective causes, and for other purposes.

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

Ms. COLLINS. Mr. President, I wish to honor and congratulate the Vital Voices Global Partnership and the 2016 Vital Voices Award recipients.

Over the last 15 years, the Vital Voices Global Partnership has trained and mentored more than 14,000 women in 144 countries. Vital Voices equips these women leaders with the management, business development, marketing, and communication skills required to expand their enterprises, provide for their families, and create jobs in their communities. By helping to identify, invest in, and bring visibility to these extraordinary women around the world, Vital Voices is helping to unleash the enormous leadership potential of these women to transform lives and accelerate the pace of peace and prosperity.

This year's award recipients include: Hafsat Abiola of Nigeria, founder of the Kudirat Initiative for Democracy that campaigns to end violence against women—Hafsat trains young female leaders and works to increase civic participation; Khanim Latif of Iraq, the director of Asuda—Khanim places her life at risk to provide safe-haven to victims of sexual and gender-based violence, works to protect survivors of domestic violence, and fights threats of honor killings, female genital cutting, and sexual violence; Yoani Sanchez of Cuba, creator of Generacion Y—Yoani created this blog in April 2007 to capture daily life in Cuba in an effort to encourage political change and increase public awareness and engagement; and Akanksha Hazari of India—Akanksha fights to deliver basic necessities such as clean water and electricity to impoverished communities and to empower the underserved in India.

Such leaders, through their selfless efforts and advocacy, continue to advance social justice, support democracy, and work to increase stability across the globe.

I am pleased to have submitted this resolution, along with my friend and colleague Senator FEINSTEIN, recognizing the 2016 Vital Voices Global Partnership Award recipients and commending them for their efforts to advance economic opportunity, increase political and public leadership, combat violence against women, and empower women to address global instability.

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

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

The resolution (S. Res. 418) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of April 12, 2016, under ''Submitted Resolutions.'')

ORDERS FOR WEDNESDAY, MAY 11, 2016

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, May 11; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the Senate then resume consideration of H.R. 2028; I further ask that notwithstanding rule XXII, if cloture is not invoked on the Cotton amendment No. 3878, there be an hour of debate equally divided in the usual form, and that following the use or yielding back of time, Senator COTTON or his designee be recognized to withdraw the amendment without any intervening action or debate.

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

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. MCCONNELL. 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.

There being no objection, the Senate, at 6:17 p.m., adjourned until Wednesday, May 11, 2016, at 9:30 a.m.