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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Eternal God, Father of Mercies, we open our hearts to You, the source of all that is good and holy. Renew and revitalize our Senators for their service to You and country, surrounding them with the shield of Your Divine favor.

Lord, help them to remember that You continue to have final control of all things, ever able to transform dark yesterdays into bright tomorrows, and to bring order out of chaos. Remind our lawmakers that to whom much is given, much will be required. May they see their lives as a privilege to be lived to the fullest in serving with humble gratitude.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore 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.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. HELLER). The Democratic leader is recognized.

ZIKA VIRUS FUNDING

Mr. REID. Mr. President, I am glad to see the Presiding Officer is my colleague from Nevada.

Yesterday I said Republicans should not play loose with Zika funding. What is Zika? For the first time in recorded history, we have mosquitoes that are causing birth defects. Mosquitoes have plagued this world for centuries—perhaps forever—but they have never ever caused birth defects. They have caused death and a lot of terrible sickness but never birth defects. Now they are moving forward. We need to do something to stop this dreaded spread of this virus.

I said yesterday the Republicans shouldn't play loose with Zika funding, but that is exactly what they have done. We had an appropriations bill on the floor, and in that there were a number of things that were very important. We had money to do something about Zika. There was money in there for lots of different issues—a very broad bill, having a lot of things in it—one of our appropriations bills.

The Republican agreement on the MILCON–VA is a disgrace. It is a mockery of how Congress should treat an emergency. The conference report was jammed through the House with no debate, with a rule that was questionable. They are supposed to give a certain number of days' notice on anything they do on the House floor. Of course, they did this within a few hours. We don't know the exact time, but it happened around 3 o'clock in the morning—something like that—when they jammed through this bill. That bill provides $1.1 billion in Zika funding, which is $800 million short of the President's request.

Remember, the President's request was more than 4 months ago, and we have learned since then how awful the spread of this virus is. We knew quite a bit 4 months ago, but we know more now. There is a report also, in addition to being short in that respect—remember, this is an emergency bill as it relates to Zika. All emergencies—flood, fire, earthquake, all of the many things we face every year, we take care of as emergencies. It is part of the responsibilities of the American people that they pay for that, and they have always been happy to do it. When there was a situation with a devastating windstorm, a deluge of water with Katrina in Louisiana and all that part of the country—it doesn't matter what the emergency is, we have taken care of it in the past, but not this Republican Congress, no, no.

They also, in this so-called conference report, stripped $120 million from Ebola funding. Remember, 2 years ago, Ebola was the thing that frightened Americans. All over America people were afraid of Ebola, this terrible disease originating in Africa. Well, 2 years have gone by, Ebola has been contained but not eliminated, and there is still, according to the National Institutes of Health and the Centers for Disease Control, lots and lots of work that needs to be done, but the Republicans keep taking away from the funding. It is really unfortunate, but that is not the half of it.

They cut a half a billion dollars from the Affordable Care Act—ObamaCare. The Republicans have tried 67 times to defund ObamaCare—67 times—and that has failed, but the stripping of Ebola money and ObamaCare money—it gets worse than that.

The conference report would completely undermine access to birth control for women in Zika-affected areas by restricting money for Planned Parenthood. This is all some women have. It is the only care they have, the only place they can go. So women are disproportionately affected by Zika. At a time when it is more important than ever for women to plan their families, we are appalled at this partisan attack on health centers women rely on to get the care they need.

Instead of responding to this emergency that is threatening American women, Republicans are using this awful virus as an excuse for another attack on women's health. Republicans have voted repeatedly in this Congress to defund Planned Parenthood. The Republican Zika bill is just more of the same anti-women—something I am

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

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sorry to say is part of the McConnell-Trump tactics we have found lately, but it gets worse even than what I have already outlined.

Republicans slashed funding for veterans by one-half billion dollars—not million, $500 million—for veterans. It allows more pesticides into our environment. Republicans even used this conference report—listen to this one—to block the prohibition of Confederate flags at Federal facilities.

We should be working together to fight Zika. We should be providing public health experts the tools they need to fight this virus.

As we speak, we really don't know for sure because it changes daily, but there are almost 3,000 women who are now affected with the virus here in America, and 400 of them are pregnant. We have already had half a dozen born with birth defects.

Rather than doing something to help the public health experts with the tools they need, Republicans turned an emergency spending request into a wish list for all the anti-women, anti-veterans, anti-minorities, anti-environment, and anti-ObamaCare radicals in Congress.

Last night, the Republicans took this monstrosity of a conference report, rammed it through the House in the dead of night with no debate, and then immediately went on vacation but only until July 5. Is this how we should treat an emergency? Of course not. Is this how we should respond to a health crisis? Of course not. Shame on Republicans for turning a public health emergency into a partisan, political show.

GUN SAFETY

Mr. REID. Mr. President, yesterday I was privileged to join my Democratic colleagues in the House of Representatives for a protest on the House floor. House Democrats were demanding that Republicans close the terror loophole which allows suspected terrorists to legally buy guns. We wanted to stop that. In the Senate, we are also waiting for Republicans to act on gun safety just like they are in the House.

The senior Senator from Maine—a Republican—has proposed legislation to keep guns and explosives out of the hands of suspected terrorists and criminals. The Collins amendment isn't perfect, but it is a step in the right direction, and I will vote for it, but in order to vote for legislation, we need to be able to first have a vote scheduled on it. Yesterday the Republican leader said: ''I'm going to be working to make sure she gets a vote on that proposal.''

Frankly, I am an expert about what goes on here on the floor. I know the procedural problems my friend the Republican leader has so I understand that. I know sometimes it gets extremely difficult, but 48 hours ago, that is what he said, and we need to be shown a path forward. I don't see it, but we will wait and see.

The American people want us to prevent suspected terrorists from buying guns so I look forward to the Republican leader's plans for the day. As is the procedure here, the majority, the Republican leader, is allowed to speak first. He just wasn't here and his staff said I should go ahead.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

MEASURES PLACED ON THE CALENDAR—H.R. 5447 AND H.R. 5456

Mr. MCCONNELL. Mr. President, I understand there are two bills at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will read the bills by title for the second time.

The legislative clerk read as follows:

A bill (H.R. 5447) to provide an exception from certain group health plan requirements for qualified small employer health reimbursement arrangements.

A bill (H.R. 5456) to amend parts B and E of title IV of the Social Security Act to invest in funding prevention and family services to help keep children safe and supported at home, to ensure that children in foster care are placed in the least restrictive, most family-like, and appropriate settings, and for other purposes.

Mr. MCCONNELL. Mr. President, in order to place the bills on the calendar under the provisions of rule XIV, I object to further proceedings en bloc.

The PRESIDING OFFICER. Objection is heard.

The bills will be placed on the calendar.

ZIKA VIRUS FUNDING

Mr. MCCONNELL. Mr. President, combating the spread of the Zika virus has been a priority for both parties so Republicans and Democrats deliberated and forged a compromise in committee. Senators debated that $1.1 billion compromise on the floor and voted to pass it. Every single Democrat voted for it—every one of them.

We went to conference committee and the House agreed to fully fund the Senate-passed funding level. Now, with the House's action last night, we have a chance to send the $1.1 billion in Zika funding to the President's desk.

This agreement will allow us to focus on immediate needs like mosquito control, while providing resources for longer term goals like a vaccine. It also takes a broader view that U.S. experts should also have the ability to address other emerging mosquito-borne diseases as well.

The administration has called for Congress to take action on Zika by July 4. They have warned of dire consequences if Congress fails to act. Many of our colleagues here have raised similar concerns.

The House did its part, and now the Senate needs to do its part. This agreement represents our only chance to put Zika control money to work right now. Again, it contains the exact amount of Zika funding passed by the Senate last month with the vote of every single Senate Democrat.

Keeping Americans safe and healthy should be a top priority for all of us. We know pregnant women are at particular risk. Democrats should work with us to pass Zika control funding again, not block funding for combating this virus. Phony excuses and made up objections to the funding we have already passed will not help create a vaccine or eradicate the threat of Zika.

We also have an opportunity to support our veterans. This agreement substantially increases critical resources to ensure veterans receive benefits and health care they have earned. It will enhance the oversight and accountability at the VA. It will help improve quality of life on military bases for soldiers and their families. It will also advance critical national security projects like missile defense.

The Senate voted overwhelmingly to support ideas like these last month, too. We should now vote to get this critical veterans funding bill down to the President for signature.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 10:30 a.m., with Senators permitted to speak therein for up to 10 minutes each.

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

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

The legislative clerk proceeded to call the roll.

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

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

OPIOID ADDICTION EPIDEMIC

Mr. MANCHIN. Madam President, the Presiding Officer and I are colleagues from the same State, so she knows as well as I know about the problems we have with opioid addiction, prescription drug abuse throughout our State and all over this country. We have come to a crisis point in this country.

In 2014, 18,893 people died from a prescription opioid overdose. These are legal prescription drugs that are made by outstanding pharmaceutical manufacturers. They are approved by the Food and Drug Administration. They are prescribed to us by the most trusted person outside of our family—our

doctor. It has created an epidemic of unbelievable proportions. Every day 51 people die from legal prescription drug abuse. Worse yet, the trend is going in the wrong way. It is not reducing; it is increasing. Sixteen percent more people died in 2014 than died in 2013. We have lost almost 200,000 since 1999. If we don't take action soon, this epidemic will become of mammoth proportion that we have done very little, if anything, to control.

Unfortunately, a major barrier for those suffering opiate addiction is insufficient access to substance abuse treatment. I, like many people in public service 20 years to 30 years ago when this epidemic hit—we basically treated it as a crime. It is a crime if it is a violent crime that was committed because of drugs, or a sexual crime, but most likely that is not the case. It is mostly stealing. To support their habit, an addict usually steals from their family, their extended family, and their friends. Once everyone realizes the problem they have is addiction, then they usually start stealing anywhere they can, which usually results in an arrest, incarceration, found guilty of larceny, and then they get a felony on their record.

But knowing how difficult this is, without treating it as an illness—between 2009 and 2013, only 22 percent of Americans suffering from opioid addiction could find treatment centers. If this was any other epidemic which is a health crisis, we have ways of treating that. You will find a hospital. You will find someone who basically will give you treatment for the illness you have. Not with opiates.

In 2014, 42,000 of our fellow West Virginias, including 4,000 children, sought treatment for illegal abuse but failed to find any treatment.

Think about this. If you were a parent of a child who is addicted and that child wanted help and you wanted to get help for that child, there is no place to put that child. Compare that to what we do as far as incarceration.

My cousin Michael Aloi is a Federal magistrate judge. Michael and I were talking.

He said: JOE, you know, I have never ever been turned down for someone I have had to put in jail or in prison or had someone tell me ''I am sorry, Judge, you can't put them in jail because we don't have a jail cell.'' We have always been able to find a jail cell for somebody we want to incarcerate.

Then he said: Guess what, JOE. For probably 8 out of 10 times a person is recommended for treatment by the court, I have no beds to put them in, no places to send them for treatment. I can find a jail cell for them and a jail bed; I can't find a treatment bed.

That is what we are dealing with in America, so we have to change.

In West Virginia, our largest long-term facility has more than 100 beds, and that is Recovery Point in Huntington, WV. They do an unbelievable job.

In 2014, about 15,000 West Virginians received some form of drug or alcohol abuse treatment, but nearly 60,000 West Virginians who were identified as being in need of substance abuse treatment couldn't find it.

Based on conversations with our law enforcement—and you can check in any of your towns, wherever you may live in this great country of ours, and you will find out that probably 7 to 8 out of 10 people who are picked up for any crime or charged with a crime—it is drug-related. It is having a tremendous effect on our economy and the lives of our people.

What I have done is I have come up with a piece of legislation which has bipartisan support, and we are hoping to get much more. Basically, it is a lifeboat. What it really says is this: We need this treatment. How do we fund it? In these tough times we have, it is hard to find the finances, and we have to have pay-fors. So I looked at it in a very practical way, and I said: We have a fee or a tax, if you will, on cigarettes. We have a fee or a tax on alcohol. These are things that are detrimental to society and to human beings themselves. Basically, I looked at a one-penny-per-milligram fee on opiates for every opiate that is produced in America or sold in America—one penny per milligram. Unbelievably, that is spinning off about $1.5 billion to $2 billion if we enforce this. That gives us a funding stream so these judges can place a person who needs treatment. We can have adequate treatment centers with a continual funding stream.

I would hope that we would not get a penny, not one dollar from these fees because that would mean we are not out pushing opiates. But that is not the case. So this lifeboat is exactly what it says it is—it gives people a lifeboat, gives them a chance to clean themselves up.

Mr. DURBIN. Through the Chair, will the Senator from West Virginia yield for a question?

Mr. MANCHIN. Absolutely.

Mr. DURBIN. First, I thank him for his leadership on this issue. I know it is personal to him and the Presiding Officer.

In my State, I think the death rate from opioids and heroin is somewhere around 12 per 100,000; in your State, I understand it is 25; in the State of New Hampshire, 35. So you have twice the problem we have, just in strict statistical terms, and New Hampshire, for some reason, has three times. And you have been outspoken on this issue. I am pleased you have been because it is not just local to you, it is a national problem.

Yesterday we had the Acting Administrator for the Drug Enforcement Administration come before the Judiciary Committee. Most people are not aware, although I know you and the Presiding Officer are aware of the fact that each year the Drug Enforcement Administration approves the production of opioids by pharma. In other words, the pharmaceutical companies cannot produce these pills that are classified as narcotic, pain reliever pills, without the approval of the Drug Enforcement Administration.

I am sure the Senator from West Virginia is aware of the fact that when they set the annual production quotas for opioids by U.S. pharmaceutical companies—there has been a dramatic increase. Between 1993 and 2015, a 22-year period of time, oxycodone production jumped dramatically 40 times, from 3½ tons to over 150 tons of oxycodone approved by the Drug Enforcement Administration. During the same period, the production of hydrocodone went up 12 times; hydromorphone, 23 times; and fentanyl, the drug that killed Prince, 25 times.

I asked Acting Administrator Rosenberg: We are trying to destroy the opioid beast, and you are feeding it. The production levels—do you take into consideration what is happening with these drugs once they are produced by pharma and what happens to them next? Under the ordinary course of events, they are prescribed by doctors and dentists or, in some cases, some other medical professionals, and they make it to the street.

He said that he was aware of it and he understood that his agency was bearing some responsibility for what has happened. Well, that is an understatement. They are certainly bearing some responsibility.

So I ask the Senator from West Virginia, who has been outspoken and a real leader on this issue, when we look at the Food and Drug Administration's role on the types of opioids and we look at the Drug Enforcement Administration's role when it comes to the volume of production, is it clear that our government has some responsibility for where we are today with this opioid epidemic?

Mr. MANCHIN. Absolutely, I say to the Senator. I have been working on trying to change the culture of the Food and Drug Administration. I have been working with the DEA because not only does the DEA basically set the allotment, they also are the ones who give the license to the doctor and make sure that doctor is certified to dispense it. If you have a doctor who is abusing it, if you have a doctor who is basically putting 10 times to 20 times more on the market in a certain section or region of our State or our country—more than the other doctors—maybe that person is irresponsible, maybe they should be questioned and taken off the list for prescribing.

Absolutely. It is a cultural change.

This all came about in the eighties when basically pain—your element of pain was one of—the fifth criteria of wellness. It was the Veterans' Administration that brought the product on, so the genie got out of the bottle. How do we put it back? We can if we continue to fight it, but it is a horrible scourge on us.

Mr. DURBIN. Through the Chair, if the Senator will yield further for a question?

Mr. MANCHIN. Sure.

Mr. DURBIN. The Senator and I will both concede that there are people with chronic, acute pain who need relief every single day, and we are not quarrelling with that, that it should be prescribed and there is a definite need. Pain is an issue in the lives of many people, and we need to deal with it responsibly, in medically responsible ways.

I guess the question that comes to mind is, when I ask my local doctors in Illinois about this, some have shown extraordinary leadership—the Chicago Medical Society, for example. I commend them. I have written to all the medical associations saying: What are you doing in training your doctors to know when they are prescribing too much or too many pills?

I give special credit to the Chicago Medical Association. They have stepped up and said: With our members, we are educating them.

But this is what I hear repeatedly, and I would like the Senator's response to it. Three percent of the doctors are responsible for 50 percent of the prescriptions. That is probably true. I can't quarrel with it, nor would I. But then someone said: But that is not the whole story. Many times a person going to one of the 97 percent of physicians ends up starting down the path toward opioid addiction, and then that first physician says ''No more,'' and then they turn to the 3 percent who are just doling out the prescriptions right and left.

So it seems to me that if 3 percent are the worst offenders and the ones who are really feeding the system in volume, we still can't look beyond the 97 percent and their responsibility to make sure their prescriptions do not start a person down the path toward opioid addiction.

I ask the Senator from West Virginia, have you encountered this 3 percent or the irresponsible physicians?

Mr. MANCHIN. Well, yes, when this became the problem we know it is today—my brother is a doctor. He went through medical school in the 1970s. They weren't schooled on this. They weren't trained on this. Most doctors will tell you they got very little training on substance abuse and what it could do. What they find out about it is that the salesmen from the pharmaceuticals is selling it to their office and giving them free samples, saying it is a miracle drug: Try it; I think you will like it. They are people running pill mills. It is basically a business for them.

The other thing is that the doctors who don't have that knowledge and haven't been trained in this—we have finally gotten the CDC, or the Centers for Disease Control, to put out, basically, prescription guidelines. A schedule II narcotic, which is basically oxycodone, Vicodin, Lortab—some of the most renowned ones we know of—have a ''30-day,'' a doctor can prescribe for you 30 days. I have young people in my office who go get a tooth extraction, and they get a 30-day prescription. They might need a 2-day or 3-day prescription. So this is what we are cracking down on—the 97 percent who should not be giving you a 30-day prescription just because that is what they are allowed to do. They should be using good common sense. Listen, you are a young, strong person. You may need this for 2 or 3 days. If it is worse, come back to see me.

Mr. DURBIN. If the Senator will yield further for a question, through the Chair, in the year 2014, the Drug Enforcement Agency of the United States approved the production of 14 billion opioid tablets in the United States—2014, 14 billion—enough opioid pills for every adult in America to have a 1-month prescription.

So I asked a doctor in DuPage County in Illinois why. Why would doctors prescribe, as the Senator said, a 30-day prescription for a patient who may only need 2 or 3 days, and it could be renewed if they needed more? He said: Some of them are not trained well enough and some of them don't want to get a phone call on a weekend.

Now, that was a pretty grim analysis by another doctor. But it really calls into question, first, pharma's producing 14 billion—14 billion—opioid pills for America, and doctors handing to patients a 30-day prescription when, in good conscience, a few days would have been more than enough.

The question is this: How do we at the Federal level—and I am asking the Senator because he is a moderate-to-conservative Democrat, and I know he is not looking for the big hand of government to solve all our problems—deal with pharma overproduction and how do we deal with doctors overprescribing?

Mr. MANCHIN. Basically, I truly believe it has been a business plan. That is being very cynical, if you will.

We have a lawsuit going on in the southern part of West Virginia right now, in Boone County. There has been a judge there, Judge Thompson, who has been more active than anybody I have ever seen. He has a case before him now, and it basically involves four or five distributors.

So you have pharmaceutical manufacturers that go to the distributors and basically spread it out to the pharmacies. They sent, in a very small period of time, over 200 million pills into a little part of our State. Now, you are telling me they didn't think they were oversupplying an area. Shouldn't somebody have raised a flag there? A moral conscience would say: There is no way they can consume this much. There is no way that a small rural area can consume this much narcotics. Something is wrong.

Are you telling me that wasn't a business plan? So I am going to testify. They asked me. I said I am most happy to. I would love to be on the stand. I want them to question me about what has happened to our State. I am happy to be accountable for that because I want someone to look me in the eye and say: You didn't know we only have X amount of people. We only have 1.85 million people in the whole State. If you take 6 or 7 of these counties, you might be talking a couple hundred thousand people. You are sending 200 million pills to a couple hundred thousand people—to every man, woman, child, and baby? Something is wrong with you, and I want to hear that answer.

So yes, it doesn't matter whether you are a Democrat or Republican, whether you are conservative or liberal. This doesn't have a home. This is a killer. It doesn't matter whether you are at the low end of the socioeconomic ladder or at the top end. It is hitting everybody.

Mr. DURBIN. I want to thank the Senator for yielding for questions through the Chair, and I would just say to him that I know the problem he faces and the Presiding Officer faces.

Mr. MANCHIN. We are both fighting it.

Mr. DURBIN. It is twice the intensity and the problem of my State, and I feel it personally. There is no town too small and no suburb too wealthy to avoid the opioid addiction, leading to heroin in 80 percent of the cases and heroin overdoses and deaths.

If you pick up an obituary column in downstate Illinois, my home area—small towns and rural areas, much like West Virginia—and you see the name or photograph of someone between the ages of 18 and 30, I have to tell you that in most instances, it is this—a heroin overdose. It is a sad reality all across my State.

Mr. MANCHIN. Let me tell you what we are dealing with, I say to the Senator from Illinois and the Presiding Officer, my colleague from West Virginia. We face it every day.

I am going to read a letter here from another family. I do it once a week because it puts a real family with it. But we have such a situation that we now have people who, because of the hard financial time some States are hitting, are saying: Why don't you just legalize marijuana? Just legalize it, they are telling me. That will help all your problems with all the taxes you will receive. I can tell my colleagues that 99 percent of the addicts I talk to, when I ask them how they got started—how did you go down this path of destroying your life—they say: It started with recreational marijuana.

I have people coming to me and saying: You are a public leader. You are in the political arena. Don't you think we need this revenue? I know we need revenue, but I don't think we need it by fostering more addicts. If an addict is telling me not to do it, and then I have other people saying the opposite, I am not going to do it. I can't do it in all good conscience.

So this is what we are facing right now. If they think of the revenue from

narcotics—the revenue from these destroying drugs we have—and if the doctors don't understand it, here is the problem, as I have just said. We have top-notch pharmaceutical manufacturing companies doing many good things for us and improving our lives by producing a product, and we have, basically, the Federal Government—the DEA and the FDA—approving it and allowing it to get into the market. Then, we have the doctors, the most trusted people next to our family, saying: Take it; it will help you; it will be good for you. Then, we have a full-flown epidemic.

We are fighting Zika now. We have Ebola and all these other things. We are concerned about epidemics, and here we already have one that is full-blown and matured, and we are not doing anything. So I am hoping that common sense will prevail.

We found a pay-for—a lifeboat, basically. It is one penny. Opponents are saying it is going to be passed onto the consumer. Well, it can't be. The CDC basically controls the pricing. So they can't gouge the people. Trust me, it is as profitable as anything they make in the pharmaceutical arena. One penny on a milligram is not going to bankrupt anybody, and it is not going to keep any product off the market that is needed. Tell me how else we are going to get $1.5 billion to $2 billion every year to help people get off of this horrible epidemic.

I thank the Senator for helping.

I want to continue reading a letter from one of our constituents. My colleague gets them the same as I get them, and we talk about this all the time. I want to thank her for helping me fight this because together we are going to make a difference.

The letter goes like this:

> I reach out to you in hopes of possibly making a future I've worked really hard for a little brighter. My name is Kayla, and I am a recovering addict. My sobriety date is February 13, 2013. I struggle with addiction to pain medication of all sorts. It started out as drinking and smoking when I was 13. That's basically all I ever did until I turned 17 and tried my first pill.
>
> It blew me completely out of control from there. While in active addiction, I got in trouble with law enforcement for stealing and received a charge for grand larceny. This is when I was only 20, and that was the first and last time I've been in trouble with the law.

This was a nonviolent crime, basically, for stealing.

Continuing with her letter:

> I've changed so much since the day I took the first pill. I completed rehabilitation at Crossroads Recovery Home in Gilbert, West Virginia, along with my dear friend Jessica Grubb who sadly lost her battle to this horrible disease.

My colleague and I have sponsored ''Jessie's Law,'' and so we know about this tragedy.

Continuing with the letter:

> It truly saved my life. When I completed treatment, I came home to start Drug Court in Greenbrier County, West Virginia. I completed that without any sanctions the whole course of the year I was in the program.
>
> I recently moved to Washington State with my husband and children. I want more than anything to take my recovery and life a step further by starting college. Ever since I was a little girl my dream has been to become a veterinarian. That has never changed in my almost 26 years of life. Due to my felony, that dream more than likely can't come true. I would not be able to hold a license unless otherwise approved by the Board of Veterinary Medicine. It's not likely they would approve me.
>
> I have worked so hard to be where I'm at today. My dream is to apply to Ohio State University in August of 2016 for the spring 2017 semester. I know I can be a vet. I want to prove to addicts everywhere that there is light at the end of that tunnel. The pain can be stopped. You can go from having to have a fix to get out of bed to having a Doctorate of Veterinary Medicine.
>
> I want to show everyone that this small town West Virginia opioid addict made it, and not only that she make it, but that she pushed the limits and reached the stars. The rumor is true. We do recover.

Now, let me tell my colleagues the rest of the story. Right now, unless we change the laws, unless we change our attitudes about how we treat addiction and look at it as an illness that needs to have treatment—unless we can do that and find the treatment—we will have people like this person, who got sober—she has been sober for over 6 years—and turned her life around and wants to be a doctor of veterinary medicine, which she doesn't think she can do now because she ruined her life at a very young age and for which she is now paying the consequences. But it was a nonviolent crime. It was a nonviolent crime.

What we have said, and what we are trying to forge into a piece of legislation, is that if you have a felony on your record from a drug addiction and it was not violent—you didn't do it with a violent crime of guns and weapons and harming people, it wasn't a horrible sexual crime, and none of those things happened; all you did was steal, which is a crime, and you have a felony on your record—and if you go through drug rehabilitation, if you become a mentor for at least another year—so that is a 2-year recovery—you then qualify to go before a review panel, which will probably be made up of your sentencing judge, the arresting officers, and the addiction treatment center personnel, who can say you deserve to have one chance in life to clear your record, to expunge your record and now to be a productive citizen, to be a doctor of veterinary medicine, or to be able to be anything you want.

Yes, you did screw up. You made a heck of a mistake. But now we are going to give you that second chance because you have fought forward and become clean. You are sober, and you are helping other people become clean and sober. If not, we are going to throw a whole generation of absolutely productive Americans out.

What I am asking for is consideration on both sides of the aisle, Democrats and Republicans. Forget about being Democrats and Republicans, and let's be Americans. Let's reach out and help people who want to be productive Americans and who want to contribute to society.

These are the things we have to do that are common sense. I am hoping all of us will come together, and I know we will.

(Mr. PERDUE assumed the Chair.)

Mr. President, I thank the Chair for allowing me to speak on this subject. I do it every week. I am going to continue to do it until we make changes. This affects your beautiful State of Georgia the same as it affects West Virginia. This is one thing we all agree on. We must end this opioid drug addiction, this drug-infested addiction this country has. We are the most drug-infested Nation on Earth.

When you consider that 80 percent—80 percent—of all the opioids in the world that are produced are consumed in a country that has less than 5 percent of the world's population—in the United States of America—something is wrong. We are better than this. We are better than this.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2578, which the clerk will report.

The assistant bill clerk read as follows:

> A bill (H.R. 2578) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes.
>
> Pending:
>
> Shelby/Mikulski amendment No. 4685, in the nature of a substitute.
>
> McConnell (for McCain) amendment No. 4787 (to amendment No. 4685), to amend section 2709 of title 18, United States Code, to clarify that the Government may obtain a specified set of electronic communication transactional records under that section, and to make permanent the authority for individual terrorists to be treated as agents of foreign powers under the Foreign Intelligence Surveillance Act of 1978.
>
> McConnell motion to recommit the bill to the Committee on Appropriations for a period of 14 days.

The PRESIDING OFFICER. The minority whip.

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

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

DACA, DAPA, AND FILLING THE SUPREME COURT VACANCY

Mr. DURBIN. Mr. President, 15 years ago I introduced a bill called the DREAM Act. The DREAM Act was designed to give children brought to the United States by their parents, who were undocumented, a chance—a path toward legalization, a path toward citizenship. These were people, now in their teens and early 20s, who were brought to the United States as infants and children. It was not their conscious decision to come to this country; it was a decision by their parents. They have grown up in the United States.

It is estimated that 2.5 million young people came to this country under these circumstances. So many of them have done everything they have been asked to do—completed their education, stood up in a classroom every morning and pledged allegiance to that flag—the only flag they have ever known, become part of America, excelled academically, started dreaming about what they might do as Americans to make their lives better and this country better.

But the law in the United States is very harsh when it comes to these young people. In its bleakest terms, the law says they have to leave the United States for 10 years and petition to come back in. Here they are, 18, 19 years of age, being told: Now that you have graduated from high school, whatever your status, leave. Go back somewhere where you cannot ever remember living and wait 10 years.

So I introduced the DREAM Act, and I said: If these young people have completed their education, if they have no serious criminal issues, if they are prepared to come forward, serve their country in the military or finish their college education, we will give them a path to citizenship.

Fifteen years of waiting—I can remember when these galleries were filled with young people, DREAMers, undocumented young people who sat one Saturday morning in their caps and gowns in the gallery, praying that we would pass the DREAM Act and give them a chance to become part of the only country they have ever known.

The measure failed on the floor of the Senate. It was a brokenhearted moment for me, facing these young people, many of them in tears, sobbing, not knowing what their lives would lead to. I said to them: If you will not give up on me, I am not going to give up on you. Let's keep working at this.

I sent a letter in April of 2010 to my friend, the President of the United States, who had been a cosponsor of the DREAM Act, and I said to President Obama: Can you do something? Can you do something to allow these young people to have a chance? Give them a chance. And he did.

He came through with a program called DACA. This deferred action program was really designed to give these young people a temporary stay from deportation. It is only temporary, for several years. But in order to get that stay, they had to come forward; they had to register with the government, pay a filing fee, make sure all their vital information had been disclosed, and go through a thorough criminal background check. Then, if they got a job, they would pay their taxes, as required of every person living in this country, and they would have a temporary stay of deportation to stay here, go to school, or work. Several years later, they would have to do it all over again and go through the same background check and pay the same fees.

The President signed that Executive action and said it was within his authority as Chief Executive to decide what are the highest priorities as to who should be deported from the United States.

The President rightly said: Let's go after felons and dangerous criminals. They shouldn't be part of our country.

Why would we go after these young people who only want to complete their education and be a positive part of our future? So the President signed the Executive action for DACA.

Sometime later came an opportunity to consider families in similar circumstances. Most people have a mistaken notion that if you are undocumented, everybody in your home is undocumented. I haven't found that to be the case. More often than not, only one parent would be undocumented. The father may be an American citizen. All the kids may be American citizens, but mom may be undocumented.

The President put in another proposal and said: In those circumstances where you have someone undocumented in the country with a child who is an American citizen, you can apply for what is known as DAPA, which gave them the same temporary stay of deportation. You had to pay your filing fee, go through a criminal background check, pay taxes on any money you earned, and for a temporary period of time, you would not be deported.

When the President signed that second Executive action, a number of Governors, Republicans from across the States, filed an action to stop the implementation of the President's Executive action. That is a big deal. It literally affects millions of people in this country who are undocumented. These Governors argued that if they were forced, for example, in the State of Texas to give drivers' licenses to undocumented people, they would have administrative expenses so the President's order would create a hardship on their State. Of course, what they failed to acknowledge was these new people under the Executive order would be paying taxes, legally paying their taxes to the Federal and State government, and they would pay any fee necessary to get a driver's license imposed by the State of Texas.

The case went before the Supreme Court. The decision was handed down a few minutes ago. The decision of the Supreme Court, sadly, shows the terrible human cost of the Senate Republican strategy to recklessly refuse to fill the vacancy on the Supreme Court created by the death of Justice Scalia.

You know what happened several months ago when Justice Scalia was on a hunting trip and sadly passed away, to the shock of everyone. There was a vacancy on the Supreme Court. The President of the United States did what he was supposed to do. In article II of the Constitution, there is a requirement the President fill the vacancies on the Supreme Court. Why would the Founding Fathers put a requirement on the President? They understood some President could play games with vacancies on the Court.

They said: No, you have to send your nominee's name to the U.S. Senate where we will have the opportunity to advise and consent as to that nominee.

The President met his responsibility. Judge Merrick Garland works for the DC Court of Appeals. In fact, he is the Chief Judge of the DC Circuit. The President sent his name to fill the Scalia vacancy.

Is Merrick Garland qualified? The American Bar Association this week said what we already knew: Merrick Garland is unanimously well-qualified for the position. The President's nominee at that point would come before the Senate. In the history of the United States, we have never ever denied a nominee for the Supreme Court vacancy a hearing and a vote in the United States—never—until this very moment when the Republican leadership in the U.S. Senate said: No, we are not going to fill the vacancy because we are hoping our Presidential candidate—in this case, Mr. Donald Trump—will be able to fill that vacancy so we will keep the vacancy open for our dream candidate, President Donald Trump.

It is the first time in the history of the United States, the Senate has turned its back on a Presidential request to fill a vacancy on the Supreme Court.

We warned the Republicans this could create some problems. Today we see exactly the kind of problem that can be created. The ''human cost of Senate Republicans' reckless refusal to fill the vacancy on the Supreme Court'' is going to be felt by literally millions of people. Today the Supreme Court failed to resolve the legal challenge to DAPA and expanded DACA, the Executive orders of President. The result of that 4-to-4 tie vote leaves millions of families across America in legal limbo.

I urge this Justice Department to consider all the legal options to swiftly overturn the injunction that is blocking President Obama from using his legal authority to set immigration enforcement priorities. DAPA and an expanded DACA will make our country safer and allow law-abiding individuals with deep roots in our communities to step out of the shadows and contribute more fully to the country they love.

A tie vote on the U.S. Supreme Court—I can't remember the last time that happened. It happens very rarely. It didn't have to happen. If the Senate Republican majority had done its job, had faced its constitutional responsibility, held a hearing for Merrick Garland and voted him up or down, I have confidence he would have been approved and been a member of this U.S. Supreme Court. We could have avoided what we now face—a split Court, 4 to 4, which cannot resolve critical and controversial issues.

The net result of the Republican refusal to fill that vacancy is to create an injustice across America for millions living in this country, an uncertainty about their future. That is the height of constitutional irresponsibility, and it played out across the street and was announced just minutes ago. This is what happens when the Senate Republicans refuse to do their job, when they say we are going to play politics with filling a vacancy on the Supreme Court. We are going to hope and pray Donald Trump will come forward and fill this vacancy with somebody we like a little better than the nominee of President Obama.

It is a sad day, and now we know what this constitutional irresponsibility by the Senate Republicans has done. It has created a fractured Court. It has split our Nation in terms of the law. It has derogated one of the most important institutions in our government. I hope a few Republicans will step up and realize that waiting for President Trump to fill this vacancy is the wrong answer.

We need to accept the Constitution's mandate to move quickly to fill this vacancy as quickly as possible. In the meantime, with the split Court decision, we need to call on our Justice Department to do everything possible to try to find a path toward a just resolution, which the Supreme Court was unable to find today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Mr. President, I first want to begin by reading a note I got this morning at 7 o'clock from a member of my staff in Maine. I think it speaks to the issues we are discussing today in this body and should be discussing in the other body.

My regional representative said:

> Last night I attended the Southern Maine Planning and Development Corporation Annual Meeting in Sanford.

That is a town in Southern Maine.

> From the time I walked in the door, through dinner and even walking back to my car, every single person I spoke with either wanted me to convey their thanks to Senator King for his stand on ''doing something on gun control'' to asking me that he stand firm and do more. People who own guns (and said so) and those who don't. Every single person expressed dismay that Congress has not acted on this. Many mentioned the sit-in in the House of Representatives and were shocked that the issue would not even get a vote. Many wanted to know when the vote would be taken in the Senate.
>
> People in Maine, including responsible gun owners, want more background checks and limitations on those who raise red flags. They want common sense legislation. I had to send this because I was quite surprised at the total focus on this issue.

I hope we will have before us sometime today an amendment which I consider a national security issue. Since being in this body, I have been privileged to serve on both the Armed Services and Intelligence Committees and have studied and worked on and listened to hearing after hearing on the terrorism threat to this country. Something important has to happen with regard to that threat over the last 3 or 4 years.

We have moved into a new era of threats to our country, different than the terrorism threat we found ourselves facing after 9/11. In 2001, that plot was hatched overseas, it involved foreigners who got to our shores one way or another and performed a heinous attack on our country.

Now we are facing attacks from within—people who are already here are radicalized online and receive what I call a terrorist APB from ISIS or Al Qaeda that basically says: Go out and do harm to Americans. The difference is the threat is now here and not abroad—although, it may be inspired and, in some cases, directed from abroad. I call this terrorism 2.0. It raises an entirely new national security issue for us; that is, how do these terrorists obtain arms? With ISIS, if we are aware of an arms shipment or a cache of arms somewhere in Syria or Iraq, we take it out. We send our fighter planes. We send any resources we have to keep them from getting those arms. If an ISIS-inspired terrorist in the United States wants to obtain arms, all they have to do is go to a gun store and buy them. It makes no sense to me that we spend millions of dollars to keep arms away from terrorists in the Middle East and do nothing to keep arms away from terrorists in the United States. That is why I am supporting, along with a bipartisan group, a nonpartisan group of other Senators, led by SUSAN COLLINS of Maine, a commonsense piece of legislation that will simply add to the list of those items which prohibit people from getting guns if you are on the no-fly list or the selectee list—those people who are required to have additional screening at an airport.

This is about as simple and as common sense as it gets. To vote against this is basically saying it is OK with us that terrorist people on the no-fly list get a gun. I can't understand any argument that would justify that. The provision Senator COLLINS has painstakingly developed, with consultation with both sides of the aisle, has in it due process protections for someone who may be on one of these lists, either inadvertently through a mistake or improperly. They have the opportunity to say: I shouldn't be on the list, I should be able to buy a gun, and they have an opportunity to make that case in a very limited period of time and to have their chance to obtain full due process to protect their constitutional right.

This is a well-balanced, thoughtful proposal. It is not taking anybody's guns. It is not a ban on any kind of weapon. It simply says: No guns for terrorists. It seems to me that is a basic, commonsense amendment, and I really can't understand why it has become so difficult to move it forward.

We had a filibuster last week. As a result of that filibuster, we ended up having several votes on this issue earlier this week, and I hope and believe we are going to have at least one more either today or early next week on the Collins amendment.

However, in the House of Representatives, there is no vote whatsoever, to the point where Members of the House have had to take to the floor and literally take over the floor and say: We are not leaving until we get a vote. I guess I would call it a House version of a filibuster. I think it is important to emphasize that the people in the House are not saying ''We are going to stay here until we pass legislation,'' they are saying ''Let's have a vote. That is our job.''

If you ask any sixth grader what Senators and Representatives do, they will tell you that we vote on legislation. That is what we are supposed to be doing, and that is why we are here.

I find it inexplicable that the majority in the House adjourned to take a vacation for the next 10 days without even allowing a vote or any debate on this issue. I mean, it looks ridiculous to the people of this country. My suspicion is that when many of those Representatives get home over the next few days, their constituents are going to say: What gives? This thing about terrorists seems to make sense to me. Why didn't you get something done on this?

I hope and believe that is what will happen. But for the Members of the House to take this extraordinary step, which I understand has only happened one or two other times in our history, in order to simply get a vote on an issue that is an absolute top-of-the-line concern to the people of the United States, again—it just doesn't make sense.

One of the reasons Congress is held in such low esteem is because we are not doing our jobs. People send us here to do a job and wrestle with difficult issues, not to suppress them, not to push them under the rug, not to ignore them, but to debate and discuss and try to come up with commonsense solutions. Indeed, that is what we have done here in the Senate.

I have been working on this for the past 48 hours. I have had consultations with other Senators. We are trying to get the language right and trying to find ways to accommodate various interests and concerns about this bill, and hopefully we will get to the floor and have a vote. The other body is not allowing that to happen.

I think this is an issue of real importance to the American people, and I sense a very significant change in terms of people's views on this issue. I understand there was a poll released just this morning which showed that 85 to 90 percent of the American people believe we should try to keep guns out of the hands of terrorists—no fly, no buy. It is a very simple message. Interestingly, that showed that the highest percentage of people who agreed with that proposition were Republicans. Ninety percent of the Republicans who responded to the CNN poll felt that terrorists should be kept from getting guns, and that is what this amendment which we are going to be considering is all about.

It seems to me that this is a case where Congress has an opportunity to do what we are supposed to do, which is not to avoid, not to obfuscate, not to sweep under the rug, but to act. I can't presuppose the outcome. I believe and hope that the outcome will be positive and that we will take action on this commonsense amendment Senator COLLINS has developed, but at least let's act. I hope the other body will do the same thing. To adjourn for a recess prematurely simply because they don't want to confront or discuss or debate this issue brings discredit on this entire institution and is greatly to be regretted.

I come from a State that believes in the Second Amendment. I believe in the Second Amendment. I have insisted through this process that anything that limits a person's ability to get guns if they are on a no-fly list or a selectee list needs to have due process in order to be sure that they are properly on that list and that there is good cause for them not to be able to purchase guns. I believe that process should be there, and it is there. This is in no way a violation of the Second Amendment. It is in no way an effort to take anybody's guns away. It is an effort to keep guns out of the hands of people who shouldn't have them. And the Supreme Court has affirmed over and over—even Justice Scalia has affirmed directly and unequivocally—that this is appropriate under the Second Amendment.

I commend my colleagues on both sides of the aisle who have developed this commonsense proposal. I hope we can pass it today by an overwhelming vote, and maybe that will help persuade the other body to at least consider, discuss, debate, and then vote on this issue that is of vital concern to the American people.

I yield the floor to the Senator from Delaware.

The PRESIDING OFFICER (Mr. RUBIO). The Senator from Delaware.

Mr. CARPER. Mr. President, I appreciate the chance to follow the Senator from Maine this morning. If I could, I wish to briefly talk about the appropriations bill for the Departments of Commerce and Justice and major science agencies, including the National Science Foundation.

I commend the senior Senators from Alabama and Maryland for their bipartisan work on what I think we all know is important legislation. I have been told that it was reported out of the Appropriations Committee on a unanimous vote. They have worked hard to juggle many competing priorities, from keeping our country safe, to creating jobs through trade, economic development, science, and innovation.

This legislation provides critical resources and needed oversight for many issues that are important to the Committee on Homeland Security, which I serve on as the ranking member.

Just one example of many in this appropriations bill is the Census Bureau. The 2010 census was by far the costliest census in the history of our country. It faced serious technology failures, and that is why it is critical that we learn from the last decade's mistakes and make sure the 2020 census is on time, on budget, and most importantly, accurate.

I am encouraged that the Bureau has provided a plan for the 2020 count that could save $5 billion and reduce the cost per household by almost 30 percent compared to the 2010 census—30-percent savings. Now we need to do our job here in Congress by providing the resources and oversight necessary to help the Census Bureau achieve those goals, and if we do our job, they can and they will.

This appropriations bill also funds the FBI, our domestic counterterrorism agency. As we know, the FBI is on the job not just 8 hours a day, 5 days a week; they are on the job 24 hours a day, 7 days a week. They are on the job around the clock, and they do this to keep all of us in this country safe from terrorism and violent crimes.

ISIS

Mr. President, as we consider this legislation to fight terrorism at home, I also want to take just a few minutes today to discuss the progress we are making to defeat the terrorists—ISIS in this case—on the battlefields far away from our homes. We are going to have a chance to look at a visual here in just a moment.

Yesterday on the Senate floor, I heard several of my colleagues in the majority claim that our President and our administration have not done enough to fight ISIS; however, I think our friends in the majority are forgetting a few key facts, and I just wanted to dwell on those for a little bit this morning.

The truth is that we are taking the fight to ISIS, and we are making serious progress in the battle to degrade and destroy them. When I say ''we,'' I am not just talking about the United States, Canada, and maybe parts of Europe; I am talking about a coalition that now includes 60 nations from around the world, including some that are Muslim nations, and I think they are an important part of this coalition.

We have this map here, and just for a little familiarity, this is Iraq over here and the Al Anbar Province. This is Baghdad, and this is a town called Fallujah that we have heard a lot about in recent years and especially in recent days. There is a place up here called Tikrit, which is Saddam Hussein's hometown, and up here is a town called Mosul, which is pretty important. This is the Kurdish part of Iraq, if you will. This part over here, frankly, doesn't have a lot of people, but it has a lot of land.

Over here in Syria, there is a Syrian town called Raqqah that is the stronghold for ISIS, and this is part of the caliphate, or what they would like to have as part of their caliphate. This is Syria, Damascus, Lebanon, and this place is called Aleppo.

If you go back a year or so, the areas in green and salmon were sort of the high-water mark for ISIS in terms of land that they were in control of, and what has happened in recent months is that this coalition of 60 nations has stopped that.

Everyone remembers the ''Star Wars'' movie ''The Empire Strikes Back.'' Well, in this case, the coalition is striking back.

About half of the area within Iraq, which is green, was controlled by ISIS maybe 1 or 2 years ago, and about half of that has been reclaimed.

The biggest battle that is going on right now is in Fallujah, where the coalition forces, largely led by the Iraqi ground troops—not American ground troops but largely led by Iraqi ground troops—have taken over center city, and they are battling it out with ISIS forces in some of the neighborhoods. Hopefully they will be successful, and I think they will be.

The next big battle will be up here in Mosul. I am a retired Navy captain. I spent a lot of time fighting in a hot war in Southeast Asia during the Vietnam war and spent another 19 years in the Cold War as a P–3 aircraft mission commander. So I served in a hot war and I served for a long time in a cold war.

When we have a coalition this large, every station doesn't do the same thing because that would be foolish. What Americans bring to the battle is some of the equipment and training that are needed. We provide intelligence, air support, and special forces and counterterrorism troops—not tens of thousands of them, but they are in the thousands in all. That is what we bring to the battle. We don't have a lot of boots on the ground. Some people are on the ground, but for the most part, that is not what we do.

The Iraqi Army, which did not distinguish itself well 1 or 2 years ago when ISIS pushed through this part of Syria and Iraq—as of today, the Iraqis are getting their act together, and they have some special forces, although I don't think that is what they call themselves, but I think their special forces are actually pretty darn good in terms of their capability. They are very much involved in the efforts

around Fallujah, and I am sure they are involved in Tikrit, which, again, was a former stronghold and the hometown of Saddam Hussein.

I think some other fighting is going on right here in Hit.

So the coalition is striking back in Iraq.

There are interesting things going on in Syria. Again, the area shown in salmon is still controlled by ISIS, and while this land mass is controlled by the so-called caliphate, I think that is steadily being eroded.

But what is going on in Raqqah is interesting. We have the Russians providing air support. The troops loyal to President Assad of Syria—most of the world thinks he should step down at some point as President and then put a new kind of government together there—are pushing up from the southwest with support from Russian air. This area has U.S. air support, and we have coalition forces—the coalition we are an active part of. We have a squeeze movement going on here in Raqqah.

Is the battle over? No, it is not. Is it going in the right direction? Finally, after a tough couple of years, I think it is.

I want to mention a couple of metrics that I think are good for us to keep in mind. Again, at the height of its power, ISIS controlled all of the area shown in green and salmon, right here on the outskirts of Baghdad. In recent months, ISIS has lost the area in green. They still control the salmon area, but as you can see, the coalition forces are on the march, and that is good.

ISIS has lost, again, half of the land they controlled in Iraq. They have lost about 20 percent of the land they controlled in Syria. And there is real pressure being brought on the key city that they control, Raqqa.

Ramadi is a good victory for our troops, for our coalition—and Tikrit, which is right here, and Mosul is this area where we have coalition forces. They pretty much encircled Mosul, and they are preparing to enter that city in the weeks to come.

As we speak, Kurdish, Iraqi, and Syrian forces, backed by the U.S. Special Forces, are making preparations again to take Mosul, right there, and Raqqa—an interesting coalition between the Russians and the Syrian fighters.

We have cut ISIS funds, I am told, by up to a third. We have literally destroyed a lot of their money. We found out where they are hiding their cash and literally bombed it and destroyed hundreds of millions of dollars they were using to pay soldiers and provide for things they needed to fight their war.

We have also killed 25,000 ISIS fighters and, more recently, 120 of their key leaders.

We have drastically slowed the flow of foreign recruits from a high of about 2,000 per month down to about 200 per month. The folks who were joining up with ISIS 2 years ago, when they were on the margin trying to create this caliphate right here—that stopped, and the enthusiasm for their ability to actually recruit people has diminished dramatically. When this big fight for this whole area right here was underway 2 years ago, there were I think about 2,000 people a month showing up from around the world who wanted to be a part of this fight with ISIS. Today it is not 2,000 people a month; it is about 200 from around the world. The United States 2 years ago had about 10 Americans per month leaving the United States and going to join forces with ISIS to be a part of this. It is not 10 a month now; it is about one.

The folks who are turning out, whether from the United States, are down dramatically, or from around the world, are down dramatically. Those guys want to be a part of a winning team. Our job—the coalition's job—is to make it clear that ISIS might have been a winning team 2 years ago when all of this was going on right here, but they are not a winning team today. They are back on their heels. We are pushing them hard, and we are making very slow but steady progress. I wouldn't overstate it—slow but steady progress. If we keep working together, we will make a whole lot more progress.

There is an African proverb the Presiding Officer has probably heard before, and it goes something like this. If you want to go fast, go alone. If you want to go far, travel together. We are doing this together with a lot of other countries from around the world. It is taking a while to get our acts together. For somebody who has flown in a war and worked in places where we have coalition forces from other nations, sometimes speaking different languages, not used to working with one another, it takes a while to get going, and I think we have made progress in that regard.

What is going on now that ISIS is doing badly on the battlefield? They are still using social media to try to project the idea that they are doing just fine and things are going just hunky-dory. These guys are really good at social media. What they are trying to do is to win through social media in the United States what they have been unable to win on the battlefield.

One of the things ISIS tries to do in recruiting people in this country is to convince them that there is going to be a caliphate and that they could be part of a winning team. What we want to make very clear is that this isn't going to be a winning team for much longer. In fact, the winning part of their season is behind them, and what lies ahead is not good.

I will use a sports metaphor here. There were the big NBA finals a couple of nights ago, about a week ago, where the Cleveland Cavaliers made kind of an amazing comeback when they won three straight games at the end and became the NBA champs against a very good team from California. I happened to be in Cleveland for the funeral for George Voinovich the day of the finals, and everywhere I looked I saw people wearing Cavaliers shirts, hats, and other paraphernalia. My guess is, after the day of the game when Cleveland won the championship, you saw even more of that all over Ohio and throughout the country. Wherever Cleveland Cavaliers fans might be, they brought out their allegiance to their team. It was probably a little bit less on the Golden State Warrior side after they lost, despite the fact that they played brilliantly.

It is really important that we make clear and continue to make clear on the battlefield who is winning—our coalition, and who is losing—ISIS. That reduces dramatically the ability of ISIS to radicalize and recruit people here in this country who want to do harm, hurt people, kill people in this Nation.

So first, degrade and destroy—that is going on. And second, make sure the message is clear that progress is being made on our side by our forces, and the coalition is moving forward.

I think that is about it. I see my colleague on the other side, and I will allow him to take the field, so I yield. Thank you very much for the time to share these thoughts today.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

FIGHTING TERRORISM

Mr. TILLIS. Mr. President, before I get started on what I really want to talk about today, which is the real threat facing our Nation, I want to reflect for a few moments on the antics and the theater that are going on in the House of Representatives.

The Presiding Officer and I were both Speakers of the House in his great State of Florida and my great State of North Carolina. I don't know about you, but the business of the House is more important than the antics that we see going on there. If it were my Chamber, it would be cleared, and people would be arrested if that is what is necessary to get us back to the task at hand. We have a number of things to work on, including economic security, national security, homeland security. And why people would use the pulpit of the House floor—the House Chamber—to advance their political agenda, to advance their fundraising—go to the political Web sites and see how many of them have sent out an email in the past couple of days and in the past week exploiting a tragic situation in Orlando for their political purposes. I think it is disgusting, and I am disappointed.

I think what we need to do is recognize—and I should say before I get started—that there are issues with handguns going into the hands of people who are mentally ill. There is no doubt about it. We should have a discussion to figure out how to fix that.

Let's continue to have a debate about how we keep guns out of the hands of terrorists, out of the hands of felons, out of the hands of people with mental illness, and recognize that the real threat to this Nation is terror and terrorism.

Make no mistake, in Orlando on June 12, that was an act of terror. The perpetrator was either self-radicalized or maybe even radicalized through some contact with terrorist organizations, but it is a death call that wants to destroy our way of life. It is actually a death call that particularly focuses on the LGBT community. They are murdering thousands of people in the Middle East, many of them simply because they are gay.

So we have to recognize—and make no mistake, while this attack occurred in Orlando, it could happen anywhere in the United States. Why is that so?

The distinguished Senator from Delaware talked about progress we are making with ISIS. He said we are having fewer foreign fighters. Do we know why? Because ISIS has figured out how to radicalize people in the Nation where they live. We have seen it in San Bernardino, in Orlando, and at Fort Hood. How long do we have to take before we recognize the fundamental threat to this Nation is terror and ISIS spreading its tentacles into our own homeland?

The distinguished Senator from Delaware is a good friend of mine, and we have worked together on legislation. For those in the gallery, this is an opportunity to hear two very different perspectives on the situation we are dealing with now.

I don't think we are making progress. I think when someone comes before the Senate Armed Services Committee or comes before the Judiciary Committee and tells us that the numbers of threats in the United States are greater than at any time since 9/11, that is not progress. When the FBI Director tells me that they have about 1,000 cases similar to what we saw in Orlando that they have to research every year, that is not progress. When we find out that there are investigations—active investigations—that have the potential threat of what we saw in Orlando in every single State, that is not progress.

The reason for this is that his own administration is at odds with what he says publicly. He doesn't want to discuss his own party; he doesn't want to discuss the threat of radical Islamic terror.

Over the past week, the Attorney General said that the ultimate solution to terror is compassion, unity, and love. How many people think that ISIS, Al-Nusra, Hamas, Hezbollah, and all the other terror organizations—the Iran terror network—do we honestly believe they will respond to compassion, unity, and love? We need to have compassion, unity, and love in our communities. We need to pour our hearts out to the people who were victims in Orlando; we need to show compassion and love to that community. But ISIS isn't going to respond to that.

I want to give some examples of why I think the President isn't listening to the heroes and the experts in his own administration. Starting on January 20, 2015, the President said: ''We are leading a broad coalition to degrade and ultimately destroy this terror group.''

The former CIA Director and Secretary of Defense in the Obama administration—a month after the President said that—said: ''To destroy ISIS with the means he has approved so far, I think that's an unattainable objective.''

Whom do we believe, somebody who wakes up every morning and looks at this threat, or the President, who doesn't want to communicate the reality to the American people?

Now let's go to the next one from last November. The President bragged that his nonexistent strategy to defeat ISIS was succeeding. He said: ''Our goal has been first to contain, and we have contained them''—''them'' being ISIL or ISIS.

This American hero, former Commandant of the Marine Corps, now Chairman of the Joint Chiefs of Staff, within 2 months said: ''We have not contained ISIL.''

Which one do we believe, the one who had the confidence of the Marine Corps to have him be their Commandant, and now Joint Chiefs of Staff, or someone who is apparently not listening?

The day after the terrorist attack on American soil, President Obama made another bold statement. He said: ''ISIL is not going to pose an existential threat to us. We have hardened our defenses. Our homeland has never been more protected.''

A week later, another Obama administration official—an extraordinarily talented and bright person, head of the FBI, Director James Comey, poured cold water over that statement. He said: ''Their ability to have a safe haven from which to gather resources, people, and plan and plot increases the risk of their ability to mount a sophisticated attack against the homeland.''

He said ''increases the risk''—from the FBI Director that was put in that administration by President Obama.

Now we have one more. With the President's disconnection from his administration, we have to realize the rhetoric and the reality is just not matching. On June 14, 2 days after the Orlando shooting, President Obama again insisted that ISIS is on the run. He stated: ''We are making significant progress. This campaign at this stage is firing on all cylinders. As a result, ISIL is under more pressure than ever before.''

Two days later—I have said to my colleagues over the past week and a half—2 days later, the President's Director of the Central Intelligence Agency, John Brennan, made a dramatically contradictory assessment: ''Despite all of our progress against ISIL in the battlefield and on the ground, our efforts have not reduced the group's terrorism capability and global reach.''

The CIA Director's comments are incredibly straightforward. ISIL still presents a threat to our homeland and to our allies.

Every Senator knows this reality in addition to the hearing and public statements. I have gone to the Middle East. I have traveled to Saudi Arabia, to Iraq, to the Kurdish region of Iraq, Afghanistan, Jordan, and Egypt. To a person, they say the President is in denial. We are not taking the fight to ISIL.

What happens when you don't take the fight to your enemy? They bring the fight to you. That is what we are seeing with these self-radicalized or ISIS-inspired radicals in this Nation, and there is a growing number—1,000 active investigations going on every year.

Ladies and gentlemen, we have to recognize that ISIS and these terrorist organizations are very sophisticated. They have a platform that in no other time in our history any other foes have ever had—social media. They have gotten to where they need to disperse into the community. The threat to the homeland is not decreasing, it is increasing. We have to recognize that. We have to have a President who either gets out of denial, when the administration tells him what the real threats are, or stops pretending that we are doing well.

We have a threat to this homeland. We have a threat to our men and women in uniform who have sworn to go overseas to defend the freedom of other countries and to defend our freedom. We have an obligation in this body. The President has an obligation to recognize we are not winning. I am not saying this as a Republican trying to build political rhetoric. I am saying this because the Chairman of the Joint Chiefs, the FBI Director, and key officials in this President's administration are saying this.

Ladies and gentlemen, I hope that over the course of the next week we can focus on the real problem. God forbid that another Orlando happens in this Nation. I think it is even more important. We need to recognize that this is a very, very unsafe world we live in. We need to recognize that Democrats and Republicans have to solve that problem. We need to continue to look for ways to keep guns out of the hands of terrorists. I should add: Why don't we come up with a policy where if it were implemented, maybe Orlando could have been prevented? But the policy offered by my Democratic colleagues on the other side of the aisle last week wouldn't have done it, and they acknowledge that. Let's focus on policies where they will.

Our Nation deserves a leader who listens to his experts. Our Nation deserves a leader who will take the fight

to ISIS, and our Nation will be less safe unless our President recognizes that as his No. 1 goal.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from New Mexico.

WE THE PEOPLE ACT

Mr. UDALL. Thank you, Mr. President, for the recognition. In 5 months, Americans will go to the polls and vote. That is our heritage, and it is something to celebrate and something to protect. But this year, many Americans are fed up with our political system. They are tired of corporations and the super wealthy controlling our politicians and our elections. They don't trust our democracy to reflect the will of ''we the people.''

What has changed since our Founding Fathers began the Constitution with these words? What has changed since several decades ago when many more Americans had more confidence in our government?

I will tell you what I think has changed. People are now questioning the integrity of our elections. Our campaign finance system is under siege, drowning in record amounts of money, much of it from outside groups and much of it hidden money—dark money. Our elections should not be for sale to the highest bidder.

Over 150 years ago, Abraham Lincoln saw the danger of too much money in politics. Lincoln warned about ''corruption in high places . . . until the Republic is destroyed.''

We are reaching that point. Money has poisoned our political system. It is no wonder the American people have lost faith in us with this constant money chasing from special interests and very little else getting done.

Our constituents want Congress to get to work and to work together, finding real solutions to real problems. That is why a few months ago several of my colleagues and I got together to discuss the state of our democracy, our electoral system, and our political system. The question we asked ourselves was this: What can we do to repair this damage and return the government to the people?

The product of those meetings is the bill we introduced last week, the We the People Act. It will bring dark money out of the shadows, create a real watchdog to enforce campaign finance laws, and rein in the influence of special interests and lobbyists. The We the People Act includes my constitutional amendment to allow Congress and the States to enact even more significant reforms—reforms five conservative Justices on the Supreme Court can't overturn.

We are offering this to start a conversation about what needs to be done to fix a broken system. I hope it will even lead to our colleagues on the other side of the aisle to join us in this effort.

I want to talk specifically about two sections of the bill. My colleague Senator MERKLEY will be here momentarily to talk about some of the other portions of the bill that are especially important to him.

The first is the ''Democracy for All'' constitutional amendment, which I introduced after the Supreme Court's disastrous Citizens United ruling when the Court put a ''for sale'' sign on our elections. Changing the Constitution is a big step. I know that. As James Madison said, it should be amended only on ''great and extraordinary occasions.'' I agree, but I also believe we have reached one of those rare occasions. Citizens United was wrong, it is dangerous, and it cannot stand.

Amending the Constitution can take a long time, but this movement actually was started decades ago by a Republican. Many of our predecessors from both parties understood the danger. They knew that money had a corrosive impact on our elections. They spent years championing the cause.

Senator Ted Stevens, a Republican icon from Alaska, introduced a constitutional amendment to overturn Buckley v. Valeo in 1983. He saw the effect that unlimited campaign expenditures were having on Congress over three decades ago. He recognized over 30 years ago that we were in an arms race. But the drive for money would only get worse and Congress's ability to function would suffer.

That was only the beginning. In every Congress from the 99th to the 108th, Senator Fritz Hollings introduced bipartisan constitutional amendments very similar to the one that I am offering this year. Senator SCHUMER and Senator COCHRAN continued the effort in the 109th Congress. Even Majority Leader MCCONNELL once had his own constitutional amendment to limit the influence of money on our elections. That was all before the Citizens United and McCutcheon decisions by the Supreme Court. It was before things went from bad to worse. The out-of-control spending since those decisions has further poisoned our elections.

In a few minutes Senator MERKLEY and I and our colleagues will hold a press conference about this bill. We will highlight the growth of one special interest group that has increased its spending exponentially since Citizens United. That group is the NRA.

Fueled with contributions from gun manufacturers, it has Republicans so scared they don't even hold a vote on commonsense steps to protect families from gun violence, even when Americans are crying out for action, even after tragedies like Sandy Hook and Orlando, even when Democrats are holding a protest in the House Chamber itself.

I went to stand with them for a while yesterday. Republicans could loosen the hold the NRA has over themselves and the Congress if they would join us in this effort to reform our elections as they have in the past. I know the political climate of an election year makes it even more difficult, but I will reintroduce this amendment in the next Congress and the next, and I hope my Republican colleagues will join me.

Poll after poll shows that our constituents across the political spectrum want this amendment. New York just became the 17th State calling for Congress to pass this constitutional amendment. It is time we listened to the States.

I would also like to talk about my bill to replace the dysfunctional Federal Election Commission with a new organization. We would replace it with what we call the Federal Election Administration. It is also included in the We the People Act. My constitutional amendment would allow Congress to finally enact meaningful reforms. Meanwhile, it is more important than ever to have a cop on the beat enforcing the rules on the books. That job is supposed to go to the Federal Election Commission, but in today's hyperpartisan environment, the FEC is powerless to enforce the law. Gridlock is pervasive. One of its own Commissioners admitted that there is a slim chance they would be able to do anything this year. She called it ''worse than dysfunctional.'' The New York Times editorial board called the FEC ''borderline useless.'' Reform groups have dubbed it a different kind of FEC. They call it the ''Failure to Enforce Commission.''

It is time to replace the FEC with a new agency that is empowered to keep a close eye on the candidates, super PACs, and the parties and that will finally crack down on election law violations.

My friend Senator JOHN MCCAIN was one of the first to propose abolishing the FEC as we know it and to create a new bipartisan agency with the teeth it needs to do the job. He and Senator Feingold introduced this bill several times in several Congresses.

The Federal Election Administration Act will eliminate the FEC and start afresh. There will be a new sheriff in town standing up for voters nationwide. My constitutional amendment and the Federal Election Administration Act are just two pieces of the ''we the people'' reform package. My colleagues will discuss the measures they have contributed to this effort. Senators WHITEHOUSE, LEAHY, KING, BALDWIN, and BENNET all have important pieces in this legislative package.

Let me be clear. This is just a starting point. The We the People Act includes many important reforms, but there are additional issues we must address to return democracy to the people. We must ensure every American has access to the polls. We need to end the gerrymandering of congressional districts—a practice that allows incumbents to stay in office indefinitely—and we must enact comprehensive public financing that will empower small donors and make their voices heard again. This is an opportunity for Congress to respond to the American people. They want and demand reform.

Congress has a long history of regulating campaign finance, often in the wake of scandal. Since 1867 we have had the Pendleton Act, the Tillman Act, the Federal Corrupt Practices Act of 1925, the Hatch Act, the Federal Election Campaign Act of 1974, and the Bipartisan Campaign Reform Act of 2002. First scandal and then reform is the unfortunate pattern. It is a pattern that we can break with the We the People Act. Let's reform the system before there is another major scandal. Let's respond to the voters—Republicans and Democrats—who want a better government, a government of ''we the people.''

Mr. President, I ask unanimous consent that a summary of the We the People Act be printed in the RECORD.

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

SUMMARY OF THE ''WE THE PEOPLE'' ACT—S. 6, INTRODUCED JUNE 16, 2016

All Americans deserve a government that works hard to provide economic opportunity and a level playing field for every citizen and family. Unfortunately, today many American families are struggling, yet special interest corporations are using their lobbyists and influence to write the rules of government so it works for them. That's why we have introduced the ''We the People'' Act, a bold new plan to take back our democracy from special interest corporations and lobbyists. This legislation would increase public reporting and transparency of secret money in our elections, strengthen the lobbying laws in Washington, and put new limits on unlimited campaign contributions flowing in ever since the disastrous Citizens United Supreme Court decision.

MAKE GOVERNMENT MORE ACCOUNTABLE THROUGH CAMPAIGN DISCLOSURE AND TRANSPARENCY

Mandatory disclosure of all special interest campaign donations. Citizens United unleashed a flood of undisclosed corporate dark money on our elections. This provision authored by Senator SHELDON WHITEHOUSE (D-RI) would require organizations spending money in elections—including super PACS and tax-exempt 501(c)(4) groups to promptly disclose donors who have given $10,000 or more during an election cycle. The provision includes robust transfer provisions to prevent political operatives from using complex webs of entities to game the system and hide donor identities.

Require all candidates for federal office to report major campaign contributions within 48 hours. Today, not all candidates for federal office report campaign contributions in real-time. This provision authored by Senator ANGUS KING (I-ME) requires all candidates for federal office, including those for the U.S. Senate, to report contributions of over $1000 to the FEC within 48 hours.

Reform the Federal Election Commission to ensure campaigns and special interests follow the law. This provision authored by Senator TOM UDALL (D-NM) replaces the dysfunctional Federal Election Commission (FEC) and creates a new independent agency to serve as a vigilant watchdog over our nation's campaign finance system. The newly established agency would consist of five commissioners appointed by the President and confirmed by the Senate and would have greater enforcement and investigation powers than those of the gridlocked FEC. Unlike the existing FEC, the new agency would be empowered to hold candidates, politicians, and their financial supporters accountable for violating campaign finance laws.

Rein in the ''dark money'' SuperPACs. The Citizens United Supreme Court decision led to a huge growth in the amount of secret money ''SuperPACs.'' Senator PATRICK LEAHY (D-VT) has a provision that shuts down individual-candidate Super PACs and strengthens the rules that prohibit coordination between other outside spenders and candidates and parties.

STRENGTHEN THE LOBBYING LAWS TO LIMIT SPECIAL INTEREST INFLUENCE IN CONGRESS

Enact a permanent ban on lobbying by former Members of Congress. The current law prohibits Senators from lobbying for a two-year period after leaving Congress. House members have a one-year ban on lobbying. This provision authored by Senator MICHAEL BENNET (D-CO) permanently bans both House and Senate members from lobbying either house of Congress after they retire.

Close the reporting loopholes that allow consultants not to register as lobbyists. This provision authored by Senator MICHAEL BENNET (D-CO) requires lobbyists to register if he or she makes two or more lobbying contacts for a client over a two-year period, regardless of whether the lobbyist spends more than 20 percent of his or her time serving the particular client.

CLOSE THE FINANCIAL SERVICES INDUSTRY'S REVOLVING DOOR

Prohibit financial services companies from paying huge bonuses when employees take jobs in the federal government. It's hard for Americans to believe they have a government 'of the people, by the people, and for the people' when they see Wall Street banks paying their executives millions to take high level jobs in government—regulating their former industry. That's why Senator BALDWIN (D-WI) has a provision that prohibits private sector employers from offering bonuses to employees for leaving to join the government. Her bill also includes language to slow the revolving door by increasing cool down periods for those leaving government service and expanding recusal requirements for those entering.

AMEND THE CONSTITUTION TO STOP WEALTHY SPECIAL INTERESTS FROM MAKING UNLIMITED CAMPAIGN CONTRIBUTIONS

Overturn the Supreme Court's misguided decisions by amending the Constitution and putting real limits on campaign financing. This constitutional amendment resolution from Senator TOM UDALL (D-NM) provides Congress and the states with power to enact campaign finance reforms that withstand constitutional challenges. It would overturn Citizens United, McCutcheon, Buckley, and other bad precedents. Finally, it provides the authority to regulate and limit independent expenditures, including those made by corporations and Super PACs.

Mr. UDALL. I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I rise to continue the discussion about ''We the People,'' those beautiful, first three words in our Constitution. My colleague from New Mexico has laid out the case that our Nation is far off track from our founding principles, and what is more ''founding'' than the very heart of our Constitution?

Our authors of the Constitution wrote these initial words in supersize font so decades or centuries later we would realize this is what our form of government is all about. It was not about a small group of highly powerful individuals charting the course of our country. It was not about a small group of highly privileged individuals charting the course for our country that our Nation was to be very different. It is symbolized by ''We the People'' or as summarized by President Lincoln many years later, ''a government of the people, by the people, and for the people.''

We are at a time now where this core principle is being profoundly challenged. Let's think for a moment about how Thomas Jefferson laid this out. He said we can claim to be a republic only to the degree that our decisions reflect the will of the people and that we can claim to be a republic only to the degree that the individuals within that government have an equal voice, so there is there principle. He referred to it as the ''mother principle,'' but the test of whether our government lived up to this vision of ''we the people'' would be whether our decisions reflect the will, and that would only be possible when the citizens each had an equal opportunity to participate.

In fact, today that vision of equal opportunity to participate has been profoundly undermined. We had a court case 40 years ago, Buckley v. Valeo, that basically said money is speech and money can be spent without limits.

We have the ongoing situation of the Court taking a look and saying corporations can be treated as if they were people. This gives a small group of individuals on the board of a corporation the assets of thousands or millions of Americans, and they can spend it at their will—never informing the people who own that money, the owners of the corporation, without ever informing them about the political positions they are taking. This is not free speech. This is stolen speech. If a group spends my money without telling me how they are spending my money, it is stolen speech. Yet that is what we have in Citizens United, a Supreme Court 5-to-4 decision that went way off track, a Supreme Court where the majority failed to understand what the heart of our democracy, our Republic, is all about.

If we turn the clock back, there was a world in which we had the town square, and the town square was free. Anyone could stand and express their position on a policy issue or express their position on a candidate. It didn't cost a thing. Then we evolved into the electronic age. The electronic age town square is on television, it is on the radio, and it is on the Internet. It costs a lot of money to participate. Then there was a Supreme Court that said we could spend unlimited sums, which means the affluent—whether they are a multimillionaire or a billionaire or a corporation—the powerful can buy up the town square and deliberately exclude the voice of the people. They can exercise a megaphone that is equivalent to that of a stadium sound system that drowns out the voice of the people. That is what our Supreme Court

has allowed to happen with our precious, our beautiful ''we the people'' Republic. This must not stand.

We see a multiplication of the corrupting influences embodied by these decisions. When the Senator from New Mexico and I were up for reelection in 2014, the Koch brothers decided to spend hundreds of millions of dollars to essentially buy control of this Chamber, the U.S. Senate. They spent their money in unlimited fashion. They did so in Louisiana and in Arkansas. They did it in North Carolina, Iowa, New Hampshire, and Michigan, in Colorado, Alaska, and—yes, my home State—Oregon. They won most of their cases. In most cases, their megaphone worked pretty well because that is what happens when you control the town square and exclude the people.

Now we have a Chamber that responds to the every whim of the Koch brothers like a puppet on a string, from the very first bill that was ever considered in this Chamber after my colleagues across the aisle took control, until now, where for the first time in U.S. history—the first time in U.S. history—the Republican Party, the majority party, has gone on a job strike, failing to fulfill their responsibility under our Constitution, a Constitution that carefully laid out a check called advice and consent. That check on nominations was laid out by Jefferson and Hamilton.

They said: We are going to place the responsibility for nominations with a single person because there is accountability, but we are concerned if that single person goes off track, if that single person hires cronies who are unqualified, hires people who don't have the appropriate background, then there has to be a body that says that individual is unfit—of ''unfit character'' is the term Hamilton used.

That is our responsibility, to decide if someone is of fit or unfit character. That is it. It isn't to utilize advice and consent, to undermine the executive branch, to undermine the courts. Yet that is the way it is being wielded at this very moment in the Senate. Never have we seen such an abuse of the Constitution as to fail to hold any effort to fulfill responsibilities to determine if a nominee is of fit character, a nominee for the Supreme Court.

This is a deliberate effort driven by the Koch brothers to pack the Supreme Court, to say we will go on a jobs strike for more than a year in the hopes that we can get a nominee to the far right who will support changing ''we the people'' to ''we the powerful,'' a nominee who will support changing ''we the people'' to ''we the privileged.'' That is the goal of the majority of this Chamber that has essentially been hired by the Koch brothers in the 2014 campaign.

We must reclaim our Republic. That is why this ''we the people'' legislative package that is put together is so important. The first major principle of this package is disclosure and transparency. Virtually every Member of this body has said disclosure is the sunlight that disinfects the political system, but when it came time to actually vote for disclosure, the Koch brothers intervened and said: No, no. That will take away some of our power, of the ultrawealthy, if we have to disclose what we are doing. Again, just like a puppet on a string, Members switched their positions—deeply disappointing—supporting the web of dark money entities.

We must change this. We must secure disclosure because it does help disinfect the political system. It may not completely cure the problem, but it is an important way to advance as a remedy.

The package includes Senator KING's Real Time Transparency Act to require all candidates for Federal office to report contributions of over $1,000 to the Federal Election Commission within 48 hours. That is a valuable addition to transparency.

It includes Senator LEAHY's Stop Super PAC-Candidate Coordination Act, which would end individual candidate super PACs and strengthen the rules, prohibiting coordination between outside entities that are super PACs and an individual's campaign because right now that coordination has grown to the extent it makes a mockery of the Supreme Court, drawing its distinction from third-party campaigns and an individual campaign.

It includes the Federal Election Administration Act from my colleague from New Mexico that he was speaking to just moments ago.

A second area the ''we the people'' package takes on is to take on lobbying and the revolving door. Senator BENNET has the Close the Revolving Door Act, which would put in effect a 6-year ban for congressional staff from lobbying and a lifetime ban for Members of Congress. If you have the honor and the privilege of serving in this Chamber, it shouldn't be that you do so with an eye to becoming a multimillion-dollar-per-year lobbyist when you resign. Yet that is all too common in the Halls of Congress, corrupting the responsibility we have to the American people. It also closes the lobbying registration loophole by requiring someone who has two or more lobbying contracts in a 2-year period to register as a lobbyist so it is more accurately understood when somebody is a paid advocate.

It also includes Senator BALDWIN's Financial Services Conflicts of Interest Act, which prohibits private sector employers from offering bonuses to employees for leaving to join the government. Picture this. A Wall Street firm says: Oh, you are going to serve in the Treasury Department, you are going to serve in the Securities and Exchange Commission, where you will have vast influence over the rules we live by. Great. We are going to give you a bonus. We will pay out that bonus at multiple thousands of dollars every month while you serve in the government. It is essentially a way for powerful entities to put a government employee on their payroll.

We have another problem. People leave these Commissions. They leave these appointments with the executive branch. They return to industry, and they get a platinum paycheck in appreciation for what they did for the industry while they were here in the Halls of Congress. That, too, is extremely corrupting.

There is much work to be done. In my lifetime, I never thought I would see the situation of the Supreme Court majority of five fail to understand the core principles on which our Nation was founded, grotesquely politicizing the Court, becoming an activist for the powerful rather than for the people. We must reclaim our core institutions. We must reclaim the ability to have balance of power between our three branches of government. We must reclaim transparency. We must reclaim our Nation with this beautiful, revolutionary concept of a nation of, by, and for the people rather than of, by, and for the powerful.

The PRESIDING OFFICER. The Senator from Hawaii.

TITLE IX AND VOTING RIGHTS ACT

Ms. HIRONO. Mr. President, I come to the floor to mark a milestone in the fight for gender equity in America.

Forty-four years ago, a committed group of people fought and made huge strides in the battle to equalize opportunities for women in education. They passed title IX.

Many people across the country think the sole purpose of title IX was to revolutionize women's athletics, but title IX does so much more. Title IX provided new opportunities for women who for too long faced discrimination, disparagement, and quotas in our education system.

We owe so much of the progress we have made in the past 44 years since the passage of title IX to my good friend Congresswoman Patsy T. Mink. Patsy was a woman perennially ahead of her time.

Gender discrimination in our education system was not an abstract issue for Patsy. She felt the weight of it personally. Patsy dreamed of becoming a doctor, but her dream of becoming a doctor was shattered when she tried to get into medical school and was told their quota for women had already been filled. Years later, a quota prevented her daughter Wendy from enrolling at Stanford University.

These experiences fueled Patsy's fight for gender equity. Even in the face of overwhelming odds on the way, Patsy's determination resulted in the passage of title IX. Upon Patsy's death, title IX was renamed the Patsy T. Mink Equal Opportunity in Education Act. The fruits of Patsy's efforts are plain for everyone to see.

Last year, we came together as a nation to cheer on the U.S. women's national soccer team as they won the

Women's World Cup. This was the women's third world title. In fact, in their 31-year history, they have not placed lower than third in the World Cup.

Much of the team's success can be attributed to the impact of title IX. Title IX's implementation means that schools have to give girls equal opportunity to play sports, and this opened the door to a new generation of girls who grew up on soccer fields and went on to represent our country on the U.S. Women's National Team, including Hawaii's own Natasha Kai, who became a breakout soccer star, playing for Kahuku High School and the University of Hawaii. Natasha went on to become part of the 2008 U.S. women's soccer team at the Beijing Olympics, and they brought home a Gold Medal.

While Natasha and the Women's National Team are examples of success thanks to title IX, they also remind us that our work is not done. After years of getting paid less than their male counterparts even though they were more successful, five members of the Women's National Team filed a complaint with the Equal Employment Opportunity Commission alleging wage discrimination. Earlier this year, this Senate unanimously passed a resolution supporting their fight for equal pay.

Of course, the fight for equal pay and equal rights is not limited to women in sports; it extends to women in all fields. This month, I am introducing two new bills that build on Patsy's work to further improve gender equity.

The Equity in Career and Technical Education Act would give schools more resources to close equity gaps in career and technical education. It also provides support to students interested in nontraditional career paths.

The second bill, the Gender Equality Educational Act, would increase training and grants to help States, school districts, and institutions of higher learning implement programs and policies to reduce sex discrimination and comply with title IX requirements. This bill also includes nondiscrimination on the basis of sexual orientation and gender identity.

Science, technology, engineering, and math, or STEM, is one area where gender equity improvements need to be made, especially in light of the fact that there will be a need in our country for millions of workers with STEM backgrounds.

In March, I read an op-ed from Hope Jahren, a geobiology professor at the University of Hawaii. She wrote in the New York Times about the pervasive challenges women face in education and the workplace, particularly in the STEM fields. She painted a very disturbing picture of how widespread harassment and other barriers discourage young women from pursuing STEM careers.

Women are much more likely than men to switch out of STEM majors in college and leave the STEM workforce. Moreover, many girls drop out of STEM pursuits long before they ever get to college. The many reasons for women abandoning STEM pursuits include negative stereotypes about women in STEM, perceived gender barriers, feelings of isolation in their jobs, and the lack of role models and mentors.

These challenges are only compounded for women of color. Asian American and Pacific Islander women often report facing bullying, sexual harassment, and discrimination in educational settings because of language issues, cultural stereotypes, and even immigration status.

I have introduced two bills to combat these systemic barriers. These bills seek to improve outreach and success of women and minorities at all stages of the STEM pursuits. We need to keep women in the STEM pipeline if we are going to come up with the millions of workers we need with STEM backgrounds in our country to keep us competitive.

Title IX has been life-changing for millions of girls and women for 44 years. Passing this law was a landmark achievement. It is a strong foundation that we must continue to build upon.

I would like to close this morning by turning to another seminal law—the Voting Rights Act—that made real for millions of Americans their fundamental right to vote. Saturday is the third anniversary of the Supreme Court's devastating and disastrous ruling in Shelby County. In a 5-to-4 decision, that case essentially gutted the Voting Rights Act and made it easier for States to make voting harder. At least 13 States have done just that.

Alabama passed a law that would require voters to show a photo ID. The State then kept 31 driver's license offices in predominantly African-American communities open just 1 day a month—1 day a month—for people to get their IDs. The city of Athens, GA, has proposed closing nearly 12 polling places, replacing them with only two early-voting centers, both of which would be located in police headquarters. Intimidating? I would say so. These are just a few examples of laws that, in effect, make it harder to vote.

So our work is not done. Three years after the Shelby decision and the ensuing laws passed by too many States to limit voting, we in Congress must enact laws that recognize beyond a shadow of a doubt that voting is a fundamental right of a free nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 12:07 p.m., recessed subject to the call of the Chair and reassembled at 1:14 p.m. when called to order by the Presiding Officer (Mr. SASSE).

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—Continued

The PRESIDING OFFICER. The majority leader.

MOTION TO RECOMMIT WITHDRAWN

Mr. MCCONNELL. Mr. President, I withdraw my motion to recommit.

The PRESIDING OFFICER. The motion is withdrawn.

MOTION TO COMMIT WITH AMENDMENT NO. 4858

Mr. MCCONNELL. I move to commit the bill to the Judiciary Committee with instructions. This is amendment No. 4858.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] moves to commit the bill to the Judiciary Committee with instructions to report back forthwith with an amendment numbered 4858.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. MCCONNELL. I ask for the yeas and nays on my motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4859

(Purpose: To authorize the Attorney General to delay or deny the transfer of firearms and explosives and issuance of Federal firearms and explosives licenses and permits to known or suspected terrorists.)

Mr. MCCONNELL. I have an amendment to the instructions, amendment No. 4859.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for Mr. JOHNSON, proposes an amendment numbered 4859 to the instructions of the motion to commit H.R. 2578.

Mr. MCCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. MCCONNELL. I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4860 TO AMENDMENT NO. 4859

Mr. MCCONNELL. I have a second-degree amendment at the desk, No. 4860.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 4860 to amendment No. 4859.

The amendment is as follows:

At the end, add the following:

This Act shall take effect 1 day after the date of enactment.

The PRESIDING OFFICER. The majority whip is recognized.

Mr. CORNYN. Mr. President, I think later on this afternoon we will have an opportunity yet again to express ourselves on the terrible shooting in Orlando a little over a week ago. Some have wanted to make this a debate about the Second Amendment. Others said that maybe it would be more productive to solve the problem and prevent people like the Orlando shooter from ever being able to commit this terrorist attack.

Sadly, yesterday we voted down the McCain-Burr amendment, which would have provided additional tools to the FBI, which had already had this shooter under investigation on two previous occasions and then taken him off the watch list, having found no evidence or not sufficient evidence to keep him on the watch list. The problem is, unfortunately, that failed.

We know it is important to stop people who would commit acts like this from buying guns. We know we need to alert our law enforcement agencies when people whom they have reason to suspect are planning a terrorist attack. We know it is important to keep them from buying guns. Frankly, the Feinstein amendment and the Cornyn amendment we previously voted on both share those in common—no fly, no buy. The only major difference is whether we are going to engage in a presumption of guilt and deny due process of law. In other words, just because your name appears on some secret list maintained by the Obama administration or any administration, you could somehow be denied a constitutional right.

I said earlier that the Second Amendment is one of the constitutional rights in the Bill of Rights, but there are others, obviously: the First Amendment, the Fourth Amendment, the Fifth Amendment—you name it. If we are going to say somehow that based on a mere suspicion by government and your name on a secret list, you can be denied a constitutional right, that is a dangerous and slippery slope.

Previously, we voted on an amendment that I offered. We got 53 votes—bipartisan support—for that amendment which would provide a means for the FBI to be notified. If somebody who was on one of these lists attempted to buy a gun, there would be a 3-day waiting period, and then the FBI would be able to conduct additional investigations—let's say go to court, get a search warrant, get a wiretap, find out what this is all about and whether they ought to act. Frankly, terrorists—if they are too dangerous to buy a gun, they are too dangerous to be loose in our communities, and it would provide a means consistent with the Constitution for the FBI to do their job and to keep these dangerous terrorists off the street.

We were told by some of our colleagues that the 3 days we provided in the bill wasn't enough. So we said we would be willing to discuss that. There is nothing magical about 3 days. It can't be a year, but it certainly can be more than 3 days. And we suggested that there be an alternative, perhaps, that more Members of the Senate would be comfortable with. We said that was flexible.

Then there were some who said that a probable cause standard is too high a standard to impose on the government to deny somebody a constitutional right. We said that these are people who haven't yet committed crimes, and that is a criminal evidentiary standard. Maybe there is another standard we can agree on that is something more than just a suspicion or because you happen to be from a certain ethnicity or perhaps your religion. There has to be more than just targeting people based on ethnicity and religion or suspicion, but we said that would be flexible as well.

So what it comes down to, and really the differences between the two pieces of legislation we are going to likely vote on this afternoon, is those who believe the government should not have to present the evidence they have in hand to an impartial magistrate or judge. It is just that simple.

Some would say: Well, the fact that the government puts you on the list ought to be enough to deny you your constitutional rights.

Well, having said that, we all believe that terrorists should not get access to guns, but we can't do this in a way that denies who we are as a people or denies our most fundamental law of the land, which is the due process provisions of the U.S. Constitution.

So unfortunately we are engaged in this exercise that, frankly, I don't think would have made much of a difference to what happened in Orlando. To me, that is the great tragedy of the debate we have been having last week and this week. I doubt this would stop anyone who was a licensed firearm owner already and licensed security guard from doing what Oscar Mateen did.

I think the McCain-Burr amendment which was voted down yesterday had some real potential because while the FBI conducted two separate investigations of this shooter previously because of comments he had made and suspicions they had, they didn't find sufficient evidence. An authority that the FBI calls their No. 1 legislative priority had lapsed; that is, to be able to use national security letters to not only gain access to telephone numbers—not content—and financial information but also the Internet addresses and email addresses on Mateen's computer and get that from his Internet service provider.

What is so important about this is that it is not a grant of access to content. That requires a showing of probable cause in a court of law, consistent with the Fourth Amendment to the U.S. Constitution. But unfortunately, yesterday, the one tool that might have given the FBI some additional information that might have triggered a further investigation, might have kept Mateen on one of these lists, which would have heightened the surveillance and the investigation of this person—it didn't happen.

I would just ask my colleagues, are we engaged here in trying to solve problems and save lives, or is this just a political exercise? Sadly, I think we are guilty of engaging in a political exercise when we are voting on things that actually would not have solved the problem.

We know this is not the last time terrorists will try to attack American citizens here at home. It is going to happen again, sadly, unless we wake up and provide the FBI and our counterterrorism officials the intelligence they need so they can stop these sorts of lone wolf terrorists in place. This is the preeminent threat from ISIS today. It is not what is happening in Syria, not what is happening in Iraq, although that is a serious threat to stability in the Middle East; it is the fact that, unlike 9/11, they don't need to get in an airplane and come here because what they can do is radicalize American citizens in place using their poisonous propaganda on the Internet and through social media.

I simply don't understand why some of our colleagues voted not to give the FBI this authority which is so important for them to collect the dots so they can connect the dots. That is the only way we are going to stop these people, is by making sure that, consistent with who we are as American people and consistent with the Constitution, we let law enforcement officials collect the dots so they can connect the dots.

This afternoon I will be casting my vote in favor of due process of law before anyone's constitutional rights are denied. I would do that for the Second Amendment. I would do it for the First Amendment. I would do it for the Fourth Amendment. I would do it for every provision of our Constitution that represents a right—not given to us by government but our natural rights conferred by us by our Creator.

At this time, Mr. President, I ask unanimous consent that the time from 1:15 p.m. until 2 p.m., including any quorum calls, be equally divided between the two leaders or their designees.

The PRESIDING OFFICER. Is there objection?

Mr. CARPER. Reserving the right to object——

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. I am not going to object.

Mr. President, I was just walking through, seeing what was going to go on later this afternoon. I heard my colleague and friend from Texas talking.

He is very thoughtful and knowledgeable of the law. He is a former supreme court justice, as I recall, from the State of Texas and a very good Senator, and he is trying to reach across the aisle to get things done.

I commend SUSAN COLLINS for her work, as well as Senator HEIDI HEITKAMP and others who are trying to get us closer to a no fly, no buy approach.

I would have us keep in mind that I am the son of a guy who was a big hunter and a buyer and trader of guns—my dad, who is now deceased—but he was also a big believer in using common sense with respect to guns as well.

I think most Americans find it troubling, certainly, the idea that somebody could be denied the right to fly on an airplane and then turn around and go buy a gun. I think most Americans agree that is crazy. I hope we are going to take at least a small step in the right direction.

The other thing I find especially troubling—this came from a Bible study group that met here earlier this afternoon with the Chaplain. We talked about the idea that somebody could go to a gun show and be a convicted felon, they could be somebody with a serious mental illness——

Mr. CORNYN. Mr. President, I ask for regular order.

Mr. CARPER. If I could have 1 more minute, I will be done.

Mr. CORNYN. Mr. President, it is hard for me to say no to Senator CARPER because he is such a nice guy and so reasonable, but this isn't a time to be making speeches; it is a time to object or not. So if he has a concluding remark——

Mr. CARPER. I will be very brief. My hope is that at the end of the day, we pass what Senator COLLINS and Senator HEITKAMP have worked on, but I would also come back and consider some other issues where we could actually save more lives. That is my commitment, and I am sure it is one the Senator from Texas shares as well. Thank you.

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

Mr. CORNYN. Mr. President, I would say that if we were united in our desire to actually get to a solution, something that could make a difference, I believe we could. But unfortunately this debate has been hijacked by some who believe that, frankly, the right to keep and bear arms is not an individual right under the Constitution, and they are willing to presume that the government is right because out of mere suspicion your name appears on a secret classified list.

I want to defeat the terrorists. I want to protect the American people. But I don't want to sacrifice who we are as a country and our conviction that constitutional rights are important, including the basic rights in the Bill of Rights, including the right to defend yourself and your family under the Second Amendment.

There is a principle involved here, and in our desire to get to a solution, which I applaud—and the Senator is a reasonable person whom I have worked with in the past and whom I hope to work with in the future—in our haste to try to deal with this issue, we should not violate the very fundamental principles of our Constitution. That is really what is at stake.

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

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

AMENDMENT NO. 4858

Mr. SCHUMER. Mr. President, I see that my colleague, who has worked so hard on this, is waiting. So I will be very brief.

Ever since the senseless tragedy in Orlando, Senate Democrats have been trying to get this body to deal with the issue of gun safety in America. My friend, the junior Senator from Connecticut, had to hold the floor for 15 hours to get votes on two simple, commonsense proposals to keep suspected terrorists from getting guns and on closing loopholes in our background checks.

Those votes failed—shamefully—but my friend, the Republican Senator from Maine has been working diligently to put together a compromise proposal that wouldn't achieve everything we need to do but would make some progress. I commend her for her efforts. I think she sincerely wants to get something done, as does just about every Member of my caucus. So what have Republican colleagues decided to do? They are going to give the Collins amendment a fake vote called a motion to table, which won't do a single thing to make the proposal law.

We have bills to keep guns out of the hands of suspected terrorists, and Republican leaders cynically choose to give it a path to nowhere.

Let me repeat that. The motion to table is a path to nowhere. Even if proponents of the Collins amendment—such as the Senator from Maine, many Democrats, the Senator from New Mexico, the Senator from Virginia, and myself—win on the vote—that is, the motion to table is defeated—even if we win on the vote, the amendment is still pending. Today, we are saying if the motion to table fails, we want a vote next week on the Collins amendment—up or down, plain and simple.

I would say that this motion—the motion to table—is really a motion to kill, because that is what I suspect too many of my colleagues on the other side of the aisle want to do to the Collins proposal and, for that matter, to any reasonable measure on gun safety. They are afraid that if they give it a real vote, it might actually have a chance of passing. That is how strong a grip the NRA has on this place. Even the most modest of gun safety proposals can't get a real up-or-down vote in the Senate because, God forbid, they might pass.

I would say to my friends on the other side of the aisle that it is cynical. If you are really opposed to the Collins amendment, stand up and vote no. But the Republican leadership knows that the American people—Democrats, Independents, Republicans, North, East, South, and West—are overwhelmingly for preventing terrorists and would-be terrorists from getting guns.

So they can't just say: No, we are opposed. They come up with these legislative gyroscopic turns and twists to try to hide what they are doing, but they can't hide it from us or from the American people, plain and simple.

I say this to the Republican leadership: If the motion to table fails, they should bring the Collins amendment to a real vote. The distinguished majority leader has said many times that he believes in an open amendment process, that his caucus should not be afraid of tough votes. I still don't know why this is a tough vote—to keep guns from suspected terrorists. But, nonetheless, he should keep his word and give a proposal drafted by a Member of his caucus a real up-or-down vote.

Ninety percent of the American people support background checks. Anyone with an ounce of common sense wants to keep guns out of the hands of suspected terrorists. Yet the Senate and the House Republican caucus are fighting against the will of the people at every turn. Even if the vote to table succeeds, we should have a real debate and a real vote on the Collins amendment.

If it fails, certainly then, it is still with us. If it succeeds, let's have another vote and a real discussion on the Collins amendment when we come back next week.

For the sake of tens of thousands of victims of gun violence every year, we have to make real strides when it comes to keeping guns out of the wrong hands.

Let's start by giving the Collins amendment a real up-or-down vote. Let's show the NRA that they cannot rule what is said, voted on, and approved in this Chamber, the other Chamber, or in America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I rise to call up amendment No. 4858.

The PRESIDING OFFICER. The amendment is pending.

Ms. COLLINS. Mr. President, this amendment is unusual when we are debating issues such as terrorist watch lists and the appropriate restrictions that are needed—desperately needed—to ensure that people who are suspected or known terrorists are not able to purchase firearms.

How is it unusual? It is bipartisan. Surely, on an issue of this importance,

we should be able to come and work for commonsense solutions. This bipartisan amendment is cosponsored by Senators HEITKAMP, AYOTTE, HEINRICH, FLAKE, KAINE, GRAHAM, KING, KIRK, NELSON, MANCHIN, and BALDWIN.

I sincerely thank each of the cosponsors for their many contributions to our amendment and for their support in crafting what is a commonsense proposal.

Our amendment has three basic provisions. First, it would block the purchase of firearms by individuals who are on the no-fly list or on the selectee list. Essentially, the premise of our amendment is that if you have been designated as too dangerous to fly on an airplane or you have been designated as someone who needs extensive, secondary screening—extra screening before you are allowed to board a plane—you should not be able to buy a gun.

Second, our amendment would provide an immediate alert to the FBI and to local law enforcement if an individual who has been on the government's terrorist watch list at any time during the past 5 years purchases a firearm.

The Orlando shooting provides, perhaps, the clearest example of why this provision is so important. The gunman was on the selectee list for approximately 10 months, but then he was off the list when he purchased the two guns used to kill 50 people and injure scores more.

If our amendment were enacted, the FBI would have been notified immediately when he purchased the first firearm in the weeks leading up to the shooting. Then the FBI would have been notified a second time that the former terrorism suspect, who had watched videos of Anwar al-Awlaki, was seeking to purchase additional firearms in a short period of time. Surely that would have caused the FBI to reopen its investigation of Omar Mateen. Perhaps, if our proposal had been in effect, that massacre would have been prevented.

Third, our amendment provides robust, due process procedures to protect the Second Amendment rights of law-abiding Americans. Any American denied a purchase under this amendment would have the opportunity to have their case heard before a Federal district judge.

The government would have the burden of proof in order to deny the sale and would have to present its case within a short but reasonable period of time. If the government failed to make its case, if this turned out to be some terrible error, it would have to pay attorneys' fees for the person who had been denied the purchase and, of course, the purchase of the firearm could go forward.

Our amendment makes sure that the applicant can have cleared counsel present to make sure that the government cannot take away a fundamental right without a legal advocate to protect their due process rights.

Critics of our amendment have mistakenly claimed this will allow Americans to be denied the right to keep and bear arms based merely on suspicion or a hunch. That is simply not true. We are not using the terrorist screening database, which has 1.1 million people on it. That is not what we are using. We are using the carefully defined No Fly and selectee lists because those are the most carefully constructed subsets of all of the government's terrorist watch lists. These two lists include the names of individuals who pose the greatest threat of committing an act of terrorism against aviation, against the homeland, against U.S. interests overseas. And there are, in fact, only 109,000 individuals on this list, of which only 2,700 are Americans.

Mr. President——

The PRESIDING OFFICER. The time for the majority has expired.

The Senator from Virginia.

Mr. KAINE. Mr. President, I wish to compliment my colleagues and others for their leadership on this issue. I just want to point out something about the institution and what we are about to do.

Monday night we had competing proposals from both parties to deal with this challenging issue of no guns for terrorists. Not surprisingly, the majority party wouldn't support the minority party, and the minority party wouldn't support the majority party. And none of the bills got enough votes to go forward.

Now there is a bipartisan version on the floor. Now there is a version where both parties have worked together to do something commonsensical to stop this carnage of gun violence we are seeing in the country. And I am just curious as to why one side wants to fight against a bipartisan proposal by putting up a motion to table. That is what this is.

I hope we are able to get over that motion to proceed. But it is important to point out that when a bipartisan proposal is on the floor, where the sides are reaching together to try and do something good for our citizens, one side is trying to kill the bipartisan proposal and one side is supporting it.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I rise today in support of the bipartisan compromise amendment drafted by the Senator from Maine, Ms. COLLINS. I say it is a good first step, and I say it is even more than that. It is a significant step forward in gun control and violence control.

I can assure you, from those of us who want to control violence, this in no way will impinge against Second Amendment rights. But we do want to curb violence in our country, which is at an epidemic level. I want to compliment Senator COLLINS, and I want to compliment the people who jumped in to help work with her to fashion a compromise. The Senator is known for her ability to put together a coalition to come up with the best ideas to find common ground.

However, we are doing something more here than finding common ground. We are trying to find higher ground. We are trying to get out of the muck and mire that goes on in this institution, where we use parliamentary techniques to stifle debate, inhibit a clear vote. Even today, with such serious consideration about to take place, we are creating a fog of parliamentary procedure where nobody knows—are you voting yes or no on Collins? Are you voting yes or no on Johnson? What we are going to do is vote on the motion to table so we don't go backward.

Of course, the American people are fed up. I am fed up. But I admire what the Senator from Maine did because her amendment—her amendment—puts us in the right direction. Why should a person be able to buy a gun to kill people when they are on the no-fly list? If you are not allowed to fly because there is fear that you will blow up an airplane, shouldn't there be fear that if you are on that same list, you will buy a gun and blow people out of wherever they are?

Oh, my gosh, when are we going to kind of man up in this institution? When are we actually going to do that? Sure, I am a champion of women's rights, but like, hello, don't we have the backbone and verve and so on to actually have straightforward debate? There is an amendment before us which is substantive and has content, and there are different views.

I want to say I support the Senator for what she is doing. The FBI under her amendment would be notified when a person who has been on the terror list at any time in the last 5 years tries to purchase a firearm. If the Collins amendment had been law, we would have alerted the FBI that the Orlando shooter wanted to buy a gun and the Second Amendment would have been protected. But most of all, those people in that nightclub would have been protected.

I am for protecting the Constitution, but I am protecting the point of the Constitution. When we take an oath, it is to defend the Constitution, but it is also to defend the American people against all enemies, foreign and domestic. Now, when we meet the enemy and it is us, we will not act. We have to act.

The effort offered by the Senator from Maine is compromise without capitulation on principle. It is what the people want. It has intellectual rigor. It meets the constitutional test. I hope we support it, and I hope somewhere we start giving votes up and down and not hiding behind the fog of parliamentary procedure.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Before my comments, I would like to yield 2 minutes to the junior Senator from Arizona, who has been so instrumental in advancing this proposal.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FLAKE. I thank the Senator for yielding. I rise to thank the Senator from Maine for all the work she has put into this and all those in the bipartisan coalition who have come together and said: Let's actually put something on the floor that can pass, not that is designed to be used as a cudgel to beat the other party with. Let us actually do something designed to work.

That is what this bipartisan proposal is all about. It has been well described as to what it actually does and how it protects the due process provisions that are there.

Let me simply say that I grew up in rural Arizona. That is where my heart still is. I am a gun owner and always will be. I take my Second Amendment rights very seriously. This amendment, the bipartisan amendment, is consistent with those rights. It also will have an impact. If somebody is dangerous enough that we prohibit them from flying on a plane, they should not be able to purchase a firearm. That is the bottom line. That is what the bipartisan amendment will actually solve.

I would encourage my colleagues to support it. If we don't, we will be back here. Believe me, this issue will not go away. It will just be after we have another massacre, and we will say: Why didn't we do it before? Why didn't we give the FBI notice that somebody had purchased a firearm, or why didn't we block the purchase of that firearm for somebody on those lists?

I appreciate the work that has been done on this. I appreciate the hard work that has gone into this bipartisan amendment. I urge support of it.

I yield back, and I thank my colleague for yielding.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Mr. President, this is a national security measure. It is a national security measure. It is about protecting our country.

The preamble of the United States Constitution—which establishes the reason this country was founded, the reason the Constitution was passed—says that the most solemn obligation we have is to insure domestic tranquility and provide for the common defense. That is keeping people safe, and that is what this amendment is about.

Sure, it touches on guns, but what it is really about is keeping guns out of the hands of terrorists. It is straightforward. It is simple. It is easy to understand. There should be no controversy about this. It has due process built in. It has a provision built in that might have prevented the tragedy that occurred in Orlando.

Many of my colleagues talk about our being at war and being in conflict. We are in conflict. People want to do us harm. And why we would want to facilitate their arming themselves within our own country? It makes no sense. This is about national security. It is the most solemn obligation we have. This amendment should go through this body and the other body in the next few days, or we are failing our responsibility to the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. HEINRICH. Mr. President, I want to thank my colleagues, especially SUSAN COLLINS and HEIDI HEITKAMP and JEFF FLAKE, and everyone who has worked so hard to actually come out of our partisan corners and do something for a change.

It is very easy for us all to sit back and take comfortable votes. This is not going to be a comfortable vote, but it should be. It is the most nonpartisan, straightforward, commonsense amendment I have seen in many years around here. It says, basically, if you are so dangerous that we can't let you on an airplane, well, maybe you shouldn't be able to buy a gun, no questions asked.

I have spent more time with firearms than most of the folks in this Chamber. I have no reservations about this amendment. It protects the Second Amendment, it includes due process, and it will keep terrorists from being able to buy firearms in this country. Maybe it is too commonsense for this body.

I want to thank everybody who was willing to get to this uncomfortable place and do the right thing, and I yield the remainder of my time to the Senator from North Dakota.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. I thank my colleague.

Mr. President, I think for the first time in a long time, on a very, very contentious issue, we have an amazing group of Senators who have come together in a very bipartisan way to simply say that there is an opportunity to balance the important right that is presented in the Second Amendment and to protect the security of the people in our country.

The vast majority of gun owners in this country would gladly give up those extra 14 days in order to secure safety and security for the American people. When you look at the overall balance and the Second Amendment—and to many, many people in my State, it is a critical and important individual right. That right has been recognized by the Supreme Court. We need to appreciate that is a right just as sacred as a Fourth Amendment right, a Fifth Amendment right, and a First Amendment right.

What we have done here is achieve a balance by simply saying: If you are too dangerous to get on an airplane, maybe we ought to take a second look. But think about the process we have established—in a mere 14 days, direct access to a court, direct access and opportunity to secure your right. We are asking people just to delay for an extra 14 days.

As our colleague from South Carolina said, once the gun is in their hand, there is nothing you can do about it—in the hands of a terrorist. There is nothing you can do. You can't get it back. But you can always secure a Second Amendment right through an appropriate due process mechanism.

Today we have struck that balance. We have worked very hard to try and come up with a proposal that can achieve bipartisan support. I would ask everyone in this body to take a second look, think about the balance, but also talk to the vast majority of gun owners in your State who would say: We agree with this proposal. We agree with it—no fly, no buy.

Let's protect the American people. Let's protect the Second Amendment. Let's do what we are supposed to do here, which is to achieve a balance that actually protects the American people but also protects our Constitutional liberties.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, how much time remains?

The PRESIDING OFFICER. There is 1 minute remaining.

Ms. MIKULSKI. Would the Senator from Maine like to have 1 minute to conclude?

Ms. COLLINS. I thank my colleague very much.

Ms. MIKULSKI. I yield such time to the Senator.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, this amendment is a commonsense approach to help make Americans safer. And I think it is highly significant that we have just received a letter that is signed by a group of generals and admirals who have been on the frontlines in fighting terrorism—people like General Petraeus—who are endorsing the bipartisan amendment that we have put forth.

Mr. President, let's not miss this opportunity to make a difference, to get something done. Let's listen to the heartbroken families in Orlando, in San Bernardino, in other terrorist attacks. This is common sense. It does not infringe upon the Second Amendment rights of Americans. All it does is say that if you are too dangerous to board an airplane, you are too dangerous to buy a gun. I urge my colleagues to support our amendment.

I thank the Senator from Maryland.

The PRESIDING OFFICER (Mr. HOEVEN). The majority leader.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that there be 2 minutes, equally divided, prior to each vote today.

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

MOTION TO COMMIT WITH AMENDMENT NO. 4858

Mr. MCCONNELL. Mr. President, I move to table the motion to commit with instructions, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

There is 2 minutes of debate, equally divided.

Mr. MCCONNELL. I yield back.

Ms. MIKULSKI. I yield back.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

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

The result was announced—yeas 46, nays 52, as follows:

[Rollcall Vote No. 109 Leg.]

YEAS—46

Barrasso	Gardner	Portman
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Burr	Heller	Rounds
Capito	Hoeven	Rubio
Cassidy	Inhofe	Sasse
Cochran	Isakson	Scott
Corker	Johnson	Sessions
Cornyn	Lankford	Shelby
Cotton	Lee	Sullivan
Crapo	McCain	Thune
Cruz	McConnell	Tillis
Daines	Moran	Vitter
Enzi	Murkowski	Wicker
Ernst	Paul	
Fischer	Perdue	

NAYS—52

Alexander	Franken	Murray
Ayotte	Gillibrand	Nelson
Baldwin	Graham	Peters
Bennet	Heinrich	Reed
Blumenthal	Heitkamp	Reid
Booker	Hirono	Schatz
Boxer	Kaine	Schumer
Brown	King	Shaheen
Cantwell	Kirk	Stabenow
Cardin	Klobuchar	Tester
Carper	Leahy	Toomey
Casey	Manchin	Udall
Coats	Markey	Warner
Collins	McCaskill	Warren
Coons	Menendez	Whitehouse
Donnelly	Merkley	Wyden
Durbin	Mikulski	
Flake	Murphy	

NOT VOTING—2

Feinstein	Sanders

The motion was rejected.

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 4859

Mr. MCCONNELL. Mr. President, I move to table the Johnson amendment No. 4859 to the instructions of the motion to commit, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. There is 2 minutes, equally divided, for debate.

The Senator from Wisconsin.

Mr. JOHNSON. Mr. President, I would like to ask all of my colleagues a simple question: How many more constitutional rights are we going to give up in response to Islamic terror?

Coming from a business background, I certainly found out the way to reach agreement is to try to find areas of agreement. Here is something we can all agree on. Nobody in this Chamber, no American wants to see weapons transferred into the hands of terrorists or would-be terrorists. We can agree on that. We are so close. I applaud SUSAN COLLINS and our other colleagues for trying to work to a bipartisan agreement to try to accomplish that goal.

My amendment simply adds due process on the front end. Otherwise, it is pretty much identical to what the other Senators on a bipartisan basis were trying to achieve. Please, let's continue to work together. Let's try to find those areas of agreement to accomplish the goal of keeping weapons out of the hands of terrorists, would-be terrorists, while not giving up our constitutional rights.

I ask my colleagues to please vote to not table my amendment so we can continue this discussion and find areas of agreement.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I want the Senator to know our side does support the Second Amendment, but we support all of the amendments of the Constitution—not just one. One of those is the right to speech, and implicit in that is maybe to get a real vote on real substance.

I yield to the Senator from North Dakota to far more articulate the substance. Let's not only support the Constitution but the oath we took to defend all people against enemies, foreign and domestic, and that is what we want to do.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, we have been asked to vote on this. It is 20 pages—20 pages that we were just handed. We asked DOJ to help us analyze this so we can best evaluate whether that is a good vote. According to the DOJ, this would not stop them from denying one person a gun.

We are here to say no-fly, no-buy. This doesn't do it. As we work through the Collins amendment, I suggest we continue to have those discussions, but we have a vehicle on the floor where we can have further discussions with any Senator who wants to continue to have a conversation.

The PRESIDING OFFICER. The time has expired.

The question is on agreeing to the motion.

The yeas and nays have been previously ordered.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

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

The result was announced—yeas 67, nays 31, as follows:

[Rollcall Vote No. 110 Leg.]

YEAS—67

Ayotte	Flake	Paul
Baldwin	Franken	Peters
Barrasso	Gardner	Reed
Bennet	Gillibrand	Reid
Blumenthal	Heinrich	Risch
Booker	Heitkamp	Roberts
Boozman	Hirono	Sasse
Boxer	Hoeven	Schatz
Brown	Kaine	Schumer
Cantwell	King	Sessions
Cardin	Kirk	Shaheen
Carper	Klobuchar	Shelby
Casey	Leahy	Stabenow
Collins	Lee	Sullivan
Coons	Markey	Tester
Cotton	McCaskill	Thune
Crapo	Menendez	Udall
Cruz	Merkley	Warner
Daines	Mikulski	Warren
Donnelly	Moran	Whitehouse
Durbin	Murphy	Wyden
Enzi	Murray	
Fischer	Nelson	

NAYS—31

Alexander	Grassley	Perdue
Blunt	Hatch	Portman
Burr	Heller	Rounds
Capito	Inhofe	Rubio
Cassidy	Isakson	Scott
Coats	Johnson	Tillis
Cochran	Lankford	Toomey
Corker	Manchin	Vitter
Cornyn	McCain	Wicker
Ernst	McConnell	
Graham	Murkowski	

NOT VOTING—2

Feinstein	Sanders

The motion was agreed to.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—CONFERENCE REPORT

Mr. MCCONNELL. Mr. President, I ask the Chair to lay before the Senate the conference report accompanying H.R. 2577.

The PRESIDING OFFICER. The Chair lays before the Senate the conference report to accompany H.R. 2577, which will be stated by title.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the amendment of the Senate to the bill (H.R. 2577), making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, having met, have agreed that the Senate recede from its disagreement to the amendment of the House to the amendment of the Senate and agree to the same with an amendment and the House agree to the same, signed by a majority of the conferees on the part of both Houses.

Thereupon, the Senate proceeded to consider the conference report.

(The conference report is printed in the House proceedings of the RECORD of June 22, 2016.)

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the conference report to accompany H.R. 2577, an act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, John Cornyn, Mike Rounds, Thad Cochran, Roy Blunt, John Barrasso, Marco Rubio, Lamar Alexander, Tom Cotton, Bill Cassidy, John Hoeven, Thom Tillis, Jeff Flake, James M. Inhofe, Tim Scott, Shelley Moore Capito, Steve Daines.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call be waived with respect to the cloture motion.

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.

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

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

COMPROMISE GUN LEGISLATION

Mr. REID. Mr. President, the Collins vote, which just took place a few minutes ago, was a vote that was, for lack of a better description, just a show vote. The Collins supporters won. That was their victory, and it is the first time since the historic vote of Senator FEINSTEIN in 1993 dealing with assault weapons that the NRA has been in a situation where they can't declare a victory. They lost this one.

But I would hope now the Republican leader will bring the Collins compromise to a vote here on the floor—a real vote. Today's vote was kind of like heads I win, tails you lose, because for the supporters of the Collins amendment, that was it with them because it guaranteed that even if Collins supporters won the vote, it wouldn't advance. But we did. We won the vote. Collins won that vote.

It is really too bad that the Republican leader worked so hard to defeat the bipartisan compromise put forward by the brave senior Senator from Maine. But despite the efforts of the majority, now the Republican leadership has a responsibility to bring the Collins bill to this floor for a real vote, not a fake vote—a vote that provides the bill a real chance to advance. I sure hope we have that opportunity. It is the right thing for the country. The country agrees that something has to be done.

Even though it wasn't a big victory, it was a victory. I hope the NRA will step back and do what they have said they would do 15 years ago, and that is work to close loopholes, especially the gun show loophole. It is disappointing that they have taken a new tack and are against anything for more gun safety.

The PRESIDING OFFICER. The Senator from Maryland.

VOTING IN THE SENATE AND HOUSE

Ms. MIKULSKI. Mr. President, it looks like this week is coming to an end in terms of legislative efforts—or the lack thereof—in the House and in the Senate. I want everyone to know what this week was. It seemed like the week of disruption. We had a filibuster in the U.S. Senate, and we had a sit-in—an unprecedented sit-in—in the House of Representatives. What was that all about? It wasn't only over the substance—it goes to the struggle to find the best way for gun control, which really we want to be violence control. And what did we filibuster about? Yes, we wanted to take up the no-fly, no-buy issue, which says that if you are on a terrorist list, you shouldn't be able to buy a gun, and to extend background checks to Internet sales and gun shows, but it was also about the right to vote. The filibuster was to get a vote. We didn't say how people would vote. We knew that would be a subject of debate, further amendment, further amendment, and then a vote. Votes are called yes or no. But the filibuster was about getting the opportunity to offer the amendments, to even be able to vote at all.

Let's go over to the House of Representatives. What did they sit in about? This was not just a spontaneous spout or pout. One of the most distinguished Americans, the Congressman from Georgia, JOHN LEWIS, led a sit-in. He led a sit-in, once again, about getting a vote. This is a man who marched across the Pettus Bridge from Selma, AL, faced being beaten, faced dogs, and bears the permanent legacy and wounds of that civil rights struggle, but he wanted to march for the right to vote and was willing to bear any burden. Then why did this man at a certain age and stage literally sit down on his hands and knees again? And what was that for? That was for the right to vote. That wasn't taking on some authoritarian Governor; that was simply in the House of Representatives: Give us a vote.

People will say: Well, why did they do that? Those votes lost in the Senate. But there were actually two compromises here—a Collins amendment and, at the last minute, a Johnson amendment.

I want people to know what is going on here. There is the substantive debate on how we can curb violence in our country and violence perpetrated where we are just awash in guns in our country. That is the subject of debate and discussion. I welcome all ideas. I recognize and support the Second Amendment of the Constitution. As I said earlier in the discussion, I support not only the Second Amendment, I support all of the amendments, and I really take seriously my oath to defend the Constitution and to defend the American people against all enemies, foreign and domestic. We took that oath.

So I am saying here, can we get rid of the obstructionism to get to votes and to get to real votes, not only votes that are some kind of parliamentary procedure linguistic thing going on. We vote on the motion to proceed. We vote to table the motion. Those are really legitimate parliamentary processes, but they are the fog. They are the fog of parliamentary procedure.

The American people have a right—I think the Congress and Members of it should have a right to offer solutions to national problems. I think that should come in the form of legislation and the amendment process following the rules. Follow the rules. Put out the bill. But when it comes time to vote, we should be able to have a vote and we should be able to vote clearly yes or no. That is all we are asking for here.

We are going to go through yet one more week, and I hope that next week we can actually face our responsibilities and try to come up with real solutions to a very real national problem, which is how to curb violence in our country; to come up with a variety of ideas, and from those ideas, offer them through legislation and amendment and have very clear votes.

People would like us, first of all, to act like Senators and Congresspeople. They would also like us to act with civility. We have seen it time and time again here. But they would also like for us to speak in plain English and have rules that we should follow and that they can understand.

So as this week comes to an end—this has been an unprecedented week in our country of a lot of turmoil and tumult. There has been a lot within our mutual institutions. I hope calmer heads prevail when we come back. Let's really get back to the legislative process that has been established by Senate rule and tradition. Let's have civil debate. Let's approach it with intellectual rigor. Let's approach it with the sincerity I feel is known on both sides of the aisle. But, please, let's seek solutions to our national problems and not seek solutions to solve our party problems.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

CONGRATULATING COLUMBUS, OHIO, ON WINNING THE SMART CITY CHALLENGE

Mr. BROWN. Mr. President, I would be remiss if I didn't first say that I am pleased to see in the Presiding Officer's chair a fellow Eagle Scout from Wyoming who is as good to the Scouts as a middle-aged man—close enough—as the Scouts were to him as a young man. So it is an honor to speak on the floor with Senator ENZI being in the Presiding Officer's chair.

This has been a great week for my State, the State of Ohio. Yesterday, I was on this floor joining my colleague from Cincinnati to speak about the Cleveland Cavaliers' historic NBA championship victory. Cleveland had not had a winning sports team—winning meaning a championship team—since I was 12 years old, when Jim Brown ran for the Cleveland Browns. In those days, we expected the Cleveland Indians to win every year. They never did. The Cavaliers didn't even exist in 1964. So this was a particularly exciting week for the Cleveland Cavaliers and for my city of Cleveland.

My wife joined literally a million people on the streets of downtown Cleveland to celebrate yesterday. This is in a county of 1.2 million. So either everybody who lives in the county was there or people from all over Northeast Ohio came to join them.

The second great thing for my State this week is that this afternoon Transportation Secretary Anthony Foxx is in the capital, Columbus—one of our other major cities and the largest city in the State—in the Linden neighborhood, on the sort of east-northeast side of town, to announce our city as winner of the Smart City Challenge. Secretary Foxx created this competition to define what it means to be a ''smart city'' in the 21st century. It was a challenge for our cities to integrate new technologies—from self-driving vehicles to electric vehicles, to smart sensors—into this transportation network.

Just as importantly, Secretary Foxx challenged applicants to think beyond adopting new technology for its own sake. Applicants were encouraged to offer a vision for how that new technology can make a difference for all Americans—from connecting low-income neighborhoods to jobs and opportunity to reducing congestion; to making streets safer for pedestrians, bicyclists, and children to get, certainly, to work, but to get to the doctor or the grocery store; to all things that a modern big-city transportation system could be.

Earlier this year, 78 cities from across the Nation submitted applications. In March, the Department selected from those 78 just 7 finalists to compete for today's award. The competition was tough. Cities such as Portland, OR, Denver, Kansas City, Pittsburgh, San Francisco, and Austin were all finalists, joining the city of Columbus. Columbus' win was all the more impressive as a result.

Our city would not have won without, first of all, Mayor Andy Ginther's leadership. The mayor didn't do this alone, although he played such a prominent role. The Central Ohio community united to develop innovative solutions to our city's challenges, and that made all the difference in the world.

So $40 million in grant funding from DOT will be matched by an additional $10 million from Vulcan, Inc., and $90 million of matching funds will come from the community of Columbus. This investment will allow the city to deploy some very impressive technology. Columbus will expand the use of electric vehicles. It will be testing a range of sensors, connected vehicles, and smartphone applications.

At Easton, a major commercial hub, a small fleet of driverless vehicles will link the Easton Transit Center with nearby employers. This will expand horizons for bus riders from lower income neighborhoods, such as Linden, who will be able to more easily travel to jobs not near the busline or the transit center.

I am particularly excited that Columbus will focus on the way the transportation systems affect the city's health. In some neighborhoods, the infant mortality rate is four times the national average. My State, shamefully, is 47th in the Nation in infant mortality and 50th in the Nation in Black infant mortality. It is shameful, and it is for a lot of reasons, one of which is that we have a State government that has never really invested in public health in the way they should.

We can't think about problems like this in a vacuum. It isn't just a health care problem. It is a public works problem, and that includes transportation. The ''Smart Columbus'' plan will measure missed prenatal and pediatric visits so we can align our transportation system with the goal of reducing infant mortality by 40 percent and cutting in half the racial health disparity.

I would add that Mayor Ginther, as council president prior to his job as mayor this year, led the charge citywide on reducing infant mortality. The Greater Columbus Infant Mortality Task Force's Celebrate One Program has made impressive progress in building a coalition and setting aggressive goals to tackle this issue. These new transit options will build on this work.

This is what becoming a smart city should be about—expanding how we think about infrastructure and public works, harnessing technology to ensure a transportation system that benefits everyone, making it a truly public work.

Today's award wouldn't have happened without a very long list of regional partners. I can't name them all, but the Ohio State University, the Columbus Partnership, Columbus 2020, Battelle, Nationwide, Honda, American Electric Power, and many, many more came together to build the application, and they will be working side by side with the city to roll out this vision.

I want to thank Secretary Foxx and Administrator Flowers, with whom I spent part of an afternoon just a couple of weeks ago in Columbus as she was announcing something else we were doing along the CMAX corridor, along the east-northeast Cleveland Avenue part of Columbus.

Our Nation's transportation system is undergoing radical transformation. A decade from now, my children, who live in Columbus, and my grandchildren, who live in Columbus, will travel in different ways than we do today. The Secretary's vision for this program was bold, and I am so excited for cities—for Columbus, specifically, but I also know that other cities will see what the smart city of Columbus has done with this grant, with this new technology in transportation, and they will work with Columbus, mimic Columbus, and turn it into a success for our whole Nation.

VOTING RIGHTS ACT

Mr. BROWN. Mr. President, nothing is more fundamental for a democracy than the right to vote. Last year, we celebrated the 50th anniversary of the Voting Rights Act, one of the most important pieces of legislation we passed in the 20th century. It opened the door to millions—literally millions—of Americans to exercise their constitutional right.

This year will mark the first Presidential election in half a century without the full protections guaranteed by the Voting Rights Act. Three years ago this week, the Supreme Court gutted a key part of the law, taking the teeth out of provisions that protect voters from suppression laws, with its decision in Shelby County v. Holder.

Since that misguided decision, States across the country have passed new voting restrictions that would disenfranchise hundreds of thousands of Americans. Unfortunately, Ohio is ground zero in these efforts to restrict voting rights. These laws, passed by an ultraconservative State legislature in Columbus, include cutting early voting and eliminating Golden Week—created by a more moderate Republican legislature of a decade earlier—when voters can register and vote on the same day. In other words, early voting starts a week before registration closes, so during that week a new voter can register and vote in the same trip to the board of elections.

This May, a Federal court did the right thing and struck down that law and reinstated Golden Week and early voting—proving once again that these State legislators went too far. Judge Watson, a George Bush appointee in

the Southern District of Ohio, found the laws limiting early voting and registration would disproportionately impact African Americans.

Think about this: A decade ago, a more moderate Republican legislature created Golden Week and passed pretty open voter registration laws. This very far-right legislature chipped away, rolled back, and weakened these laws. A George Bush appointee to the court—apparently also more of a moderate, open-minded Republican whom we saw 10 years ago in the legislature—reinstated much of what these legislatures had done in the early 2000s.

Earlier this month, another Southern District Judge, Judge Marbley, struck down another one of these restrictions. He ruled that Ohio's rollback of access to absentee and provisional balloting would also disproportionately disenfranchise African-American voters.

In 2008, African-American voters voted early in person at a rate more than 20 times greater than White voters. In many communities, African-American leaders and activists try to encourage church members and people in the community to vote early in person—totally legal. Often, some people plan to vote on election day, and then they either get sick or they have to stay longer at work and they lose that vote. That is why early voting is so important.

We remember the scenes from Cuyahoga County in 2004, when some voters waited as long as 7 hours to vote. I remember standing at Oberlin College, where people had to wait 7 or 8 hours. In Kenyon College, students waited sometimes longer than that—9, 10 hours—to vote. For hourly workers, for college students who work the third shift, for parents who have to drop their children off at school, early voting ensures their vote will be heard. Maybe college students can stand in line a little longer because professors are pretty good if they miss class because they were voting, but a parent who stops at the polling booth at 5:30, after work, needs to vote quickly and pick up their child. If they have to stand in line for an hour and a half, they are maybe not going to likely vote in the end. That is why early voting is so important.

In 2012, 600,000 people voted early. That was 10 percent of the electorate. That is 600,000 voters' voices that might not have been heard if we hadn't had early voting.

Ohio's law may have been struck down, but too many other States have passed harsher laws that we know will keep voters—often voters of color—from the polls. Seventeen States have passed new voting restrictions since the Shelby County decision. It is almost like they were waiting for their Supreme Court—their very conservative, anti-voting rights Supreme Court—to make a move, and then, in their State legislatures, they quickly moved to restrict voting rights.

In Texas, a new photo ID law is under court review. A Federal judge called it an unconstitutional poll tax that could disenfranchise up to 600,000 mostly Black and Latino voters.

In North Carolina, the legislature and Governor have gone even further with a whole package of restrictions, including ID laws, reductions in early voting, and elimination of same-day-registration voting.

We are the only advanced democracy in the world where there are actually efforts to restrict access to the ballot box. We know who gets hurt the most. It is African Americans, it is seniors, it is young voters, and it is Latinos. These restrictions were made possible primarily because the Shelby County decision undermined and gutted the Voting Rights Act.

There is a solution. Congress can pass the bipartisan Voting Rights Advancement Act today. We have done these with overwhelming votes in the past. Congress almost unanimously reauthorized the Voting Rights Act not that many years ago, but then the court struck it down, as if the court is wiser than an almost unanimous Congress. We could restore the full protections guaranteed by the Voting Rights Act.

In 1981, when signing an extension to the Voting Rights Act, President Reagan called the right to vote ''the crown jewel of American liberties.'' This remains true today. There are few rights more fundamental to our democracy than the right to vote. We must continue to do everything in our power to defend it.

With elections at every level of government only 5 months away, it is more important than ever that we push to restore the most sacred of rights—the right to have a voice in our democracy.

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

The PRESIDING OFFICER. Will the Senator withhold his suggestion?

Mr. BROWN. Mr. President, I withdraw my suggestion.

The PRESIDING OFFICER. The Senator from Michigan, and also an Eagle Scout.

Mr. PETERS. I thank the Presiding Officer for that recognition from a fellow Eagle Scout.

AMERICAN INNOVATION AND COMPETITIVENESS ACT

Mr. PETERS. Mr. President, I rise today in support of the American Innovation and Competitiveness Act, which is a bill that I introduced yesterday with my colleagues Senator GARDNER, Commerce Committee Chairman THUNE, and Ranking Member NELSON.

This bipartisan legislation is the product of a yearlong effort that began with a series of roundtable discussions on ways to improve the American innovation system. We met with a wide range of stakeholders—representatives from the science, education, business, and economic development communities—and listened to their input. We leveraged their expertise to develop this important legislation that promotes science and research, strengthens innovation and advanced manufacturing, grows our skilled workforce, and enhances American competitiveness around the world.

Specifically, we are maximizing our Federal investment in basic research by reducing regulatory burdens on academic researchers so they can spend more of their time on science and less on paperwork.

We are strengthening our oversight of Federal research and development investments while ensuring that the integrity of the National Science Foundation's widely acclaimed, independent merit review process is fully maintained.

We are also working to promote STEM education by providing resources to improve the participation of women and minorities in STEM fields. Fixing the underrepresentation of these groups is absolutely critical to American competitiveness in the 21st century. Our country is simply not producing enough qualified new graduates in STEM fields to meet workforce needs. In fact, some studies indicate that the United States must graduate 1 million more STEM professionals than are currently projected to fill the growing number of jobs over the next decade.

Women and other minorities represent the largest untapped talent pool to meet the needs of the STEM workforce today. I am proud that the American Innovation and Competitiveness Act provides significant new support for grants and programs to increase the participation of women and other minorities in the underrepresented groups in STEM fields, both in academia and in the workforce.

We also must ensure that the United States continues to lead the world in innovation. Our Federal investment in research and development has led to discoveries that have had profound impacts on our health, safety, and quality of life. From 3D printing to GPS, we have seen that federally funded R&D has resulted in commercially viable technologies and products. Many universities today operate technology transfer offices and business incubators to expedite the transfer of these groundbreaking discoveries to the marketplace.

However, we have seen in recent years that our Nation is facing significant challenges when it comes to moving innovative ideas across the valley of death, which separates promising research from commercialization. The American Innovation and Competitiveness Act will help bridge this valley by authorizing grants for commercialization of federally funded research, broadening the scope of existing commercialization grants, and improving entrepreneurship training for research so that young researchers can be best positioned to get their innovations to the marketplace.

This legislation also encourages the Federal Government to utilize prize authority and crowdsourcing to spur innovation and public participation in science. These creative approaches will help engage more Americans in the development of the next big thing.

I am proud that the American Innovation and Competitiveness Act also fosters the expansion of the National Science Foundation's Innovation Corps Program, also known as I-Corps. The primary goal of the NSF I-Corps is to foster entrepreneurship that will lead to the commercialization of technology that has been supported by NSF research funding.

The University of Michigan is home to one of seven I-Corps nodes in the Nation and for years has been a shining example of the strength of this program and its ability to translate research into new, innovative startup companies that are improving lives with their products and creating good-paying jobs.

Our bill will expand the I-Corps Program to other Federal agencies, greatly expanding its reach and helping to facilitate the commercialization to a much broader base of federally funded research.

Finally, I am proud of what this legislation will do to support small- and medium-sized manufacturers in Michigan, as well as across the country. The American Innovation and Competitiveness Act provides for more Federal support for regional manufacturing centers, such as Michigan's Manufacturing Technology Center, or MMTC, which has provided support to Michigan businesses since 1991. By increasing the Federal cost share for the Manufacturing Extension Partnership, this bill will allow MMTC to provide training and assistance to more small- and medium-sized manufacturing businesses.

With this legislation, Congress can do its part to support and invest in the U.S. science enterprise. By enacting the American Innovation and Competitiveness Act, we can drive economic growth, increase American productivity, enhance our safety and security as a nation, and secure our competitiveness going forward. We must solidify our position as the country to beat when it comes to innovation and create more good-paying jobs here at home.

It has been an honor for me to work with my friend and colleague Senator GARDNER on this effort. I also thank Chairman THUNE and Ranking Member NELSON once again for their leadership and support throughout this process.

I look forward to the Commerce Committee considering this critical legislation next week, and I hope the full Senate takes up action soon thereafter.

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.

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

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

NOMINATION OF MERRICK GARLAND

Ms. STABENOW. Mr. President, today marks the 99th day since President Obama nominated Judge Merrick Garland to the Supreme Court—99 days. Yet Republican colleagues continue to refuse to do their constitutional duty and act on the nomination.

Just this week, we received more proof of Judge Garland's qualifications and another sign that Senate Republicans should act now. As we all know, the American Bar Association, a highly respected nonpartisan and nonideological group made up of qualified experts in the legal field, announced that it unanimously gave Judge Garland its highest rating of ''well qualified,'' and we know they have tough standards. After poring through the available records and speaking to colleagues and peers who know Judge Garland best, here are some of the examples of what they said about him in the ABA report: ''Garland's integrity is off the scales.'' He is a ''straight shooter'' who is ''brilliant, exceptional, and phenomenal.''

''Garland is the best that there is. He is the finest judge I have ever met. There is no one who is his peer.''

''He is very sharp and works hard to find consensus among the panel. He decides the case but does not decide more than is necessary to resolve the case.''

''He always is the best prepared because he wants to get it right.''

I would say that is pretty good. I would say all those quotes are amazing. In interviews with hundreds of individuals in the legal profession and community who knew Judge Garland, not one person uttered a negative word about him. I wish we could have that. Not one person uttered a negative word about him.

The Senate has a constitutional duty, as we all know, to provide advice and consent on Judge Garland's nomination. Yet Senate Republicans have doubled down on the obstructionism and said we should not do anything before January 20, 2017, when the next President is sworn in. This is completely irresponsible. We have a Court right now that today came to a tied decision because they didn't have a full complement on the Court on a very important issue that could have been resolved.

Just a week ago, Judge Garland gave the graduation speech at J.O. Wilson Elementary School in Northeast Washington, the school where he tutored students for the past 18 years. He told students in the graduation speech: ''Dreams don't come true by magic. . . . Go ahead and dream, and go ahead and work hard to make those dreams come true.''

Judge Garland has worked hard for over 19 years, and we have seen his dedication to public service throughout his life and his career.

People in Michigan and all across the country work hard and do their jobs every day to put food on the table, support their families, and build a brighter future for their children. They know they couldn't refuse to do a really important part of their job for 99 days in a row and get away with it.

Tonight Members of Congress on both sides of the aisle will play in the annual Congressional Baseball Game. I hope it will not rain. Baseball, a game that runs for nine innings, requires nine players on the field at a time for a complete team. I hope my Republican colleagues who are playing in the game realize that ''we need nine'' is applicable both on the field and on the Court.

I call on Republican colleagues to do their job and hold hearings and a vote for Judge Merrick Garland. You have the choice of voting yes or voting no, but we have the responsibility to have the vote.

The PRESIDING OFFICER. The Senator from Ohio.

CONGRATULATING COLUMBUS, OHIO, ON WINNING THE SMART CITY CHALLENGE

Mr. PORTMAN. Mr. President, I rise to join my colleague from the other side of the aisle, Senator BROWN, who came to the floor earlier to congratulate Mayor Andy Ginther of Columbus, OH, and the people of Columbus, OH, and Central Ohio for a big victory this week. We won the Federal Department of Transportation's Smart City grant competition. This is something we have been working on for months. It is a big deal to us in Central Ohio. It gives us the opportunity to get $40 million in terms of a grant from the Department of Transportation to be a model city and also in combination with another grant of $10 million from Vulcan Corporation and $90 million that has been raised in the private sector—that is a total of about $140 million to reshape transportation in Central Ohio to create more economic growth for the citizens of Central Ohio and to be a model not just for Ohio but for the rest of the country on how we can use smart transportation to help create economic growth and opportunity.

I want to thank U.S. Secretary of Transportation Foxx for getting this decision exactly right. As I have said to Secretary Foxx about this competition over the past several months, I believe this is the right investment for our tax dollars. I believe Columbus is the right city. I believe we have done all the right things to be the proper recipient for this. I was honored to help set up meetings between Secretary Foxx and Mayor Andy Ginther. Secretary Foxx was always a thoughtful and respectful listener, and ultimately he made the right decision.

It was a tough competition. We had 77 other cities submit applications, and among the finalists were some very impressive cities, very innovative cities—

Austin, Kansas City, Denver, Pittsburgh, Portland, San Francisco.

It is easy to see why the right choice was to invest in Columbus. It is the fastest growing city in the Midwest in terms of jobs and in terms of population. It is one of the top seven centers in the country for foreign trade now.

By the way, that places a lot of pressure on our transportation system with this growth and with the increase in trade. There is a need for us to be sure our infrastructure keeps up with that success. This Smart City grant will help us ensure that happens.

I thank and commend the more than 100 organizations from Central Ohio that were part of this that expressed interest in working with Columbus on improving this infrastructure—organizations such as the Battelle research institute, the Ohio State University and their research on transportation, Clean Fuels Ohio, and the IBM Analytics Data Center. The Ohio State University had other departments involved in this, as well, in terms of engineering and so on, and dozens of others.

I also thank the leadership of the Columbus Partnership. Alex Fischer did a terrific job of bringing the business community together on this. I mentioned that they also have put $90 million of private sector investment into this. It is clearly one where the Federal dollars are being leveraged and more than matched.

I convened a meeting in Columbus several weeks ago at the Ohio State University Center for Automotive Research with many of these organizations that are part of this grant application. We talked about the need not just to work together on this grant but to ensure that Columbus and Central Ohio were on the map in terms of being centers for transportation excellence. We have some of the companies there, such as Honda and some of the suppliers, but we also have a lot of the research folks there and a lot of people who are interested in making sure the community becomes more prosperous by helping to move people.

It is almost as though physical mobility through transportation is part of economic mobility in Columbus. We see it that way. I think it is absolutely true.

I was pleased to lead in a letter from the entire Ohio delegation, along with SHERROD BROWN and all of my colleagues in the House—Democrat and Republican alike—in support of this effort. It was bipartisan. It was from the entire State. We were unanimous that Columbus is a sound investment that the Federal Government ought to make.

I thank Mayor Andy Ginther for taking the leadership role in getting this done. It was a team effort and a good example of how the public sector and the private sector can work together to help move our country forward—in this case, to give Central Ohio the chance to show how to move the country forward literally in terms of our transportation movement.

The credit ultimately goes to the city of Columbus. They will put that $140 million to good use, improving our infrastructure, spurring economic development and jobs. It is a proposal to form a partnership with the Central Ohio Transit Authority, the Mid-Ohio Regional Planning Commission, the Ohio Department of Transportation, Ohio State's Transportation Research Center, which I talked about earlier, and other partners in a five-part strategy, a very specific strategy—access to jobs, logistics, connecting visitors and tourists, connecting citizens and sustainability.

Let me briefly talk about some of these parts of the strategy. As I mentioned, we are creating a lot of jobs in Columbus with these new jobs. We have to be sure workers can commute easily and safely. We are going to study ways in which to move people, not just from suburb to suburb but also to ensure that people who are living in neighborhoods that have high rates of poverty have an access to jobs through the transportation improvement. We have a neighborhood in Columbus called Linden. It is one of the neighborhoods that will be particularly impacted positively by this improvement. The Linden neighborhood has its challenges.

I visited many neighborhoods in Columbus that have challenges, despite the economic growth we talked about. Franklinton is one and South Side is another. We talked about our efforts to spur economic growth, how to fight drug abuse, how to help people who deserve a second chance get one, and how to bring jobs to those communities. The one thing I hear about is the difficulty with transportation—how to literally find a job and then get to that job. People don't have cars, and they have difficulty finding the bus routes that work for these jobs. Unfortunately, some of the jobs are not close to these neighborhoods. This is an opportunity, through this new innovative transportation plan, to connect people to the jobs that are there. By making it easier for residents to travel to and from jobs and schools, we can improve the future of these communities and these families.

Credit is another issue that this proposal will help with. A lot of people who live in these neighborhoods have lack of access to credit. Think about it. Whether it is getting on the Metro bus or using some other form of transportation, such as the car2go or other transportation methods, credit is really important. This project will include looking for innovative ways to bring people off the sidelines and enable them to get around easier by providing credit for transportation.

Columbus also plans to use the grant funds to improve travel information and broadband Internet access and to deploy self-driving cars to connect the East Transit Center to local employers.

Columbus has one of the only cargo-dedicated airports in the world. A lot of freight moves through Central Ohio. We have the most truckstops of any State in the union. Some 60 percent of U.S. manufacturing facilities and 50 percent of U.S. consumers can be reached within a day's drive of Columbus. So it is a big transportation hub.

I have met with a number of companies, such as Avnet, which anticipates more and more trucks on the road to and from the Rickenbacker Inland Port—again, this is our airfreight center for Columbus—because of this continuing growth. The city of Columbus plans to build a smartphone app for trucks with real-time traffic conditions and routing data for delivery of freight to better ensure efficiency on our roads. This is good for everyone. It is certainly good not only for our transportation companies and trucks but also in terms of safety and efficiency and good for commuters and all drivers.

Another reason for the city's success is that we have so many people now visiting Columbus. Visitors spend about $5.7 billion every year in Columbus. That gives the city a total economic impact of $8.7 billion and supports 71,000 jobs for Ohioans. We need to be sure we continue to find ways to have the smart transportation project work with this increasing number of visitors.

We plan to work with organizations like Experience Columbus to build a smartphone app to provide real-time information relating to events in the city for visitors, parking, traffic, and transit options. By helping visitors get around easier, we can help improve their experience in the city and also make Columbus even more attractive to more visitors and stimulate increased economic activity and jobs.

These are some of the things that are going to happen as part of the Smart City grant. We also intend to focus on sustainability, and that would be to increase the use of cleaner ways of transporting people and goods. We will be expanding the electric-vehicle charging infrastructure and converting more of the city's bus system to compressed natural gas. The electric vehicles will reduce carbon emissions even as we are increasing transportation capabilities. This investment will not only have a positive impact on jobs but also on the environment. It is a win-win.

Again, I congratulate Secretary Foxx on making a good investment decision, one that will help Columbus make history and create opportunities for Ohioans, and, most importantly, congratulations again for all of Central Ohio and those who put together this incredible application. I look forward to working with them closely to ensure that the money is well spent and that this project does indeed become a model for the rest of Ohio and the rest of our country.

I thank the Presiding Officer, and I yield back my time.

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

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

UNITED STATES V. TEXAS SUPREME COURT DECISION

Mr. SESSIONS. Mr. President, today the Supreme Court, in the case of the United States v. Texas, rendered an interim victory for the rule of law in America. It is a victory for the constitutional process by which Congress passes laws, and the President faithfully executes those laws. He has taken an oath to do that. He is the chief law enforcement officer in America, and Congress is the body that passes and makes laws. We have immigration laws, most of which have been on the books for many years. They reflect the decided view of the government and people of the United States of America. Those laws must be enforced in an effective and consistent way.

The decision that was made today means that the injunction issued below stands, at least on an interim basis. In other words, an order was issued by the lower court to block the President of the United States from carrying out a series of actions that he wants to carry out, but could not because he lacks the authority. It is a huge, significant constitutional matter.

If you remember, colleagues, it wasn't too long ago that we had a national debate and vote about reforming immigration laws in the United States. I believe that was not a good reform. We debated it and it failed in the Congress. It did not get the support of both Houses, although it did get the support of the Senate. The proposal failed. The American people spoke clearly on it. They contacted us in large numbers.

People began to understand that the bill would not be effective in doing what it promised to do; that is, to end the illegality. It was going to be effective in granting amnesty to virtually everybody unlawfully in the country today, but it would not have been able to carry out an effective and lawful system for the future. That is what I believe. I was a Federal prosecutor for 15 years. We tried to read the law and make sure it was effective; but this law was not effective.

So the President just decided: ''I am going to use my pen and I am going to issue orders to all of the executive departments and agencies that are obliged to enforce the laws of the United States and I am going to tell them to do what the Congress rejected. I am going to execute an amnesty by the signing of my pen that legalizes everyone in the country here today.''

It is an unbelievable overreach, a matter of tremendous import, and it is an affront to the legislative process. It is an affront to the majority of the American people who want a lawful system of immigration—one that serves their interests, serves the interest of America, the national interest, not some special interest that wants cheaper labor, and not some political interest that is looking for votes—but what is the policy that best serves the American people. That is what this issue is all about.

The Supreme Court, by a 4-to-4 vote, concluded that the injunction should remain; that is, they blocked the President, at least on the portion of the Executive orders that were before the Court. He has done some other things that were not before the Court, and I think would be at risk, too, if properly challenged, but they haven't made it to the Court yet.

If my colleagues remember, the judge heard the case and issued an injunction, blocking the President from going forward with his own plan for immigration and one that Congress had rejected. Then the United States Court of Appeals ruled that the judge was correct, and now, by a 4-to-4 vote, the ruling of the Fifth Circuit has been upheld.

In November of 2014, the Obama administration went on strike. It just announced: ''We are not going to follow the requirements and the laws of the United States with regard to immigration.''

President Obama said: ''I am going to direct my offices to carry out a policy that I think should be the national policy. I am sorry Congress didn't pass it, and the historic law remains in place, but I am going to direct my officers not to do it.''

That is what he did. In effect, it was a seizing of the enforcement of immigration law in so many key ways. Under the guise of what he called exercising prosecutorial discretion, his orders directed law enforcement officers not to enforce plain law, forcing them to violate their oath of office to support and defend the Constitution of the United States and his own oath, which is to see that the laws are faithfully executed. In so doing, he effectively eliminated entire sections in the United States Code.

Not only did President Obama direct his officers and agents, all of whom are in the executive branch under his supervision as the President of the United States—the Chief Executive—he ordered those agencies of the Department of Homeland Security not to follow the plain law. He further decreed that those who came here illegally and had children in the United States would be allowed to stay in the United States and be granted work permits and access to certain Federal benefits—people who entered the country unlawfully.

No wonder Immigration and Customs Enforcement officers have such low morale.

An objective Federal study that is done every year or periodically evaluates the morale of the Federal officers in the United States found, I think again this year, that the morale of the Department of Homeland Security is the lowest of any Federal agency. Why is this? Because they have been ordered not to do their duty. They put their lives on the lines in dangerous circumstances, and they arrest people, they bring them in, and what happens? They are not deported. They are released on bail or some sort of promise to appear, and they go into the country as they planned to do all along.

This is extremely discouraging for our officers and agents. It is wrong, it should not happen, and it is a cause of the increasing number of illegal immigrants we have in the Nation today.

In fact, I say to my colleagues, a few years ago, the Immigration and Customs Enforcement Officers Association filed a lawsuit against Secretary Janet Napolitano and John Morton—their supervisors—and said that you are ordering us to violate our oath to enforce the law. I have never seen a lawsuit like this, thousands of officers suing their supervisors for ordering them not to do their duty. This is wrong. It lowers morale.

When you have that kind of situation, what message does it send to the world? It sends a message to the world that if you can get into the United States, you are going to be successful, you can stay here, and you don't have to come according to the procedures in law. We have seen an increase in lawlessness in recent years. In fact, it looks like this year, among a number of categories, we have already reached the same level of arrests we did in all of last fiscal year. So we are having a rather significant increase again this year.

Well, what happened? Over half the States in the United States filed a lawsuit in Federal court. Judge Andrew Hanen in the United States District Court for the Southern District of Texas, heard the case. It went on for a considerable amount of time. The Department of Justice defended President Obama's actions. So the top lawyers in the U.S. Department of Justice went to Texas, they defended the administration, and they were opposed by more than half of the States. Judge Hanen heard the case and he issued an injunction. He said: Mr. President, you are changing the regulations of the United States that have been issued pursuant to the Immigration and Nationality Act. You are changing those, and before you can change regulations, you have to be able to go through a process. You have to have notice and opportunity for people to be heard and objections to be made before the regulations can be altered. That was basically the decision he rendered.

The U.S. Court of Appeals for the Fifth Circuit upheld the injunction, and today's decision confirms that the Obama administration's lawless plans may not proceed.

But the fight is far from over. The case will now be sent back to Judge Hanen for additional litigation on the

merits, and the ultimate outcome remains uncertain.

To issue a stay and block a Federal agency from going forward with a rule or regulation, a Federal court must find that the opposition litigants have a substantial likelihood of prevailing on the merits. I think this decision indicates Judge Hanen, the Fifth Circuit, and even the Supreme Court believe it is likely the States would prevail on the merits of their challenge.

What is clear, as highlighted by the egregious, unethical conduct of the lawyers of the U.S. Department of Justice, is that the Obama administration will stop at nothing to advance its agenda. I worked at the Department of Justice for almost 15 years—and we worked our hearts out to always be faithful and operate with integrity before the Federal judges, and always, since we were representatives of the United States of America, made sure every representation we made to the Court was accurate and had a high standard. Most assistant U.S. attorneys and Department of Justice lawyers should know that and adhere to that at the highest level. Other lawyers frequently don't, private attorneys don't, but the Federal attorneys representing the people of the United States of America have that high duty.

Well, what happened? Judge Hanen found that the administration was determined to go forward with these unlawful actions, even though he had ordered them to stop, and they appeared to cause some substantial violation of the integrity of their Department. I believe they are going to have a further hearing soon on whether there will be additional penalties. He already imposed a penalty on the Department of Justice lawyers for their improper conduct, for which he severely condemned them.

The message this administration is sending to the world is that if you can get here, you can stay here.

According to official statistics from U.S. Customs and Border Protection, the number of so-called family units who have been apprehended at the southern border has already exceeded the number who were apprehended in all of fiscal year 2015. Approximately, 12 percent more so-called family units were apprehended through May than were apprehended through all of last year. Total apprehensions of all aliens appear to be on the rise, which is an indice of increased illegality into this country.

Last month, the head of the National Border Patrol Council testified before the Subcommittee on Immigration and the National Interest, which I chair, that for every alien apprehended at the border by the U.S. Border Patrol, we could assume at least one evaded detection. He said they are catching half of the people who enter, and they apprehended more than 300,000 illegally into the country last year.

He further testified—this is important, critically important and shows the extreme nature of the Obama administration's policies with regard to immigration—that of the half who are apprehended, at least 80 percent of those are released into the country and not deported. They are told: OK. Come back to court. Sometimes they have a bail, sometimes they don't.

At another hearing, a Federal agency official testified that they take young people to their destination city when they are apprehended. What does that mean? It means that if somebody enters the country and they are 17 years of age and they don't know what to do with them, instead of deporting them and sending them back at that time, they say: Where did you intend to go? Well, my destination was Chicago. So the Federal Government takes them to Chicago, turns them over to a cousin or an uncle or an aunt or whatever. There is no effort to ascertain whether the person they are turned over to is legally in the country or not either.

So this is the kind of thing that is causing such disturbance within the law enforcement field, and that is so discouraging to them.

The extent to which the administration has directed its officers not to enforce plain law is one of the most brazen acts of legal disobedience in the history of America. Could the next President refuse to enforce tax laws? Could the next President say: I don't like this tax, I believe this tax is too high, or I don't believe we should tax these entities so he tells his subordinate units, the head of the IRS, just like he tells the head of Homeland Security, don't enforce this law. I know that Congress passed it, but I don't think it is a fair tax. Don't collect it and tell everybody in the country that if you don't pay that tax, you can be certain the IRS is not going to spend its time and effort to collect it, so you are home free. That is the kind of logic we are dealing with.

These unlawful actions fly in the face of what the American people have asked for. Yet, despite having the Obama Administration having the most radical immigration policies in our Nation's history, former Secretary of State Hillary Clinton has promised to go even further.

I am astounded at some of the things she has declared. She promises to deport only those who commit violent felonies or happen to be terrorists. Anybody else can come in, get in illegally, sell drugs, get caught for fraud, get caught for fraudulent ID, credit card fraud, and all those kinds of things, but as long as they are not committing a violent crime, they never get sent home. They get to stay here. How is this in harmony with the will of the American people to have a lawful system of immigration, one that protects their public safety, protects them from criminal activity, protects them from terrorism and those kind of things? It is breathtaking to me.

Moreover, if Secretary Clinton is provided with the ability as President to appoint a new Justice to the Supreme Court, the outcome of this case might change. Who knows? But it certainly is clear that she has been vigorously critical of the decision and says it is correct, essentially. She said this in her statement today: ''Today's decision by the Supreme Court is purely procedural, casts no doubt on the fact that DAPA and DACA,'' these amnesty programs, ''are entirely within the President's legal authority.'' She says this is entirely within the President's authority.

Well, again, let me remind you what the President did. On the issue before the Supreme Court, he not only said to 4 million adults that they will not be deported, he declared that they are able to work. He has given them work authorization when the laws of the United States don't allow people illegally here to take jobs. Not only that, he gave them the right to Social Security. He gives them Social Security numbers. They will pay into Social Security and be able to get Social Security, Medicare, and other programs. Basically, he gave illegal persons established by the laws of the United States the ability to participate as American citizens on virtually every matter of importance. It is unacceptable.

Former Secretary Clinton said that she will introduce ''comprehensive immigration reform with a path to citizenship'' within the first 100 days of her Presidency. In other words, she would give legal status, citizenship, to everybody who has come into the country illegally. It is a damaging thing. It has remarkable consequences and impacts on the legal system, and it also incentivizes more people to come to America.

The American people have every right to demand that our very generous legal immigration flow be followed according to the law and that it reflect their wishes. The American people are good and decent people. They are not asking for anything extreme. What is extreme is this idea that we systematically refuse to guarantee the laws of the United States be executed. The actions and policies advanced by President Obama, and apparently even more radical policies by Secretary Clinton, are radical things; they are not traditional in any way. They are directly contrary to our constitutional principles and the clear will of the American people. They must be stopped.

We have a generous immigration system. We have 1.1 million at least—I think it may now be even closer to 1.2 million people every year. That is more than any nation in the world. So it is a remarkable thing that we do. In addition to that, at any given time there are 700,000 people in the United States, foreign born, who take jobs in the United States. These are supposed to be temporary jobs for the most part. A lot of them are basically permanent jobs that can be reupped and reextended.

We don't have enough jobs for the American people now. We have a surplus of labor in this country. If you believe in free markets, colleagues, that is why, since 1999 until last year, median household income in America is down $4,000 per family. A big part of that is an excessive labor flow into the United States. It is not disputable, colleagues.

Look at the great professor on this, Professor Borjas of Harvard. Born in Cuba himself, he came here as a young person. Dr. Borjas shows that an excessive labor flow pulls down wages. Why would it not? It is a commonsense, free market principle. He documented it through labor reports, census data, and there is no doubt about it. We are hammering American working people. Their lives are being diminished while some make more money because they pay a lower wage.

I am not saying we are going to end immigration. Nobody is talking about that. But we have extremely high immigration levels legally, and on top of that we have this massive illegality. So the first thing the American people have asked us to do is end the illegality, please. They have been pleading for that for 30 years, and all we have here is some complaint about any bill that actually takes a step toward that end getting blocked. We can't even get votes on amendments.

I just want to say that I think the American people are correct. Any nation state that sees itself as sovereign, sees itself as having a loyalty to its own people, should protect those people from unfair policies, should defend their legitimate interests, and we are not doing it.

We are pulling down wages right now. There are people that don't have jobs today. We have the lowest percentage of Americans with a job than we have had in 40 years. Last month we created 38,000 jobs—a paltry, shockingly low number. It sent some shock waves through the business community. We need to have close to 200,000 a month. We are bringing in almost 100,000 immigrants a month.

From 2000 to 2014—14 years—the native born population of the United States has increased throughout that period by millions. How many jobs were created and how many jobs did native born Americans get during that period? None. The actual number of workers from 2000 to 2014 went down. All jobs that were created during that period of time went to the foreign born. Is it any surprise that wages have fallen? Is it any surprise that we have gone from around a low $50,000-a-year median American income for a family to $4,000 less? It is simple.

Somebody needs to talk about this and defend the legitimate concerns of families in this country and working Americans.

I want to say a couple more things. The outcome of this Court ruling is not going to cause any major change in what is happening today; in fact, we have been living under the policies that the Court ordered for some time now. It is not going to change. We are not going to have any mass roundups as people have suggested. That is ridiculous. The President has ordered, basically, an end to deportation except for those who commit serious crimes. Secretary Clinton has said the crime has to be a violent crime or terrorism connected before they get deported. So we are heading in that direction.

This is not a sound policy for America.

We are going to have to work our way through the many difficulties we have in the future, but the simple demand we have from the majority of the people, I believe, is to end the illegality. Do that first, and then we will talk about what we are going to do next about the people who have been here for a long time.

A lot of people just came. They just used a fraudulent identification or drove across the border or they were caught and released on bail and went to Los Angeles or Chicago or somewhere. Do they get to demand to be given legal status in America? Do they get to demand to be made a citizen when other people around the world who have waited for their time may never get into the United States because they don't qualify? That is the question we are facing.

I truly believe that we believe in immigration as Americans in this country. We are always going to have immigration, but the level of it and the nature of it should be such that we admit people who are most likely to be successful, to flourish and to benefit America, and not people who are going to have a hard time, who don't speak English and don't have skills that we need in this country today. I believe it is wrong to bring in more workers, particularly with low skills, who compete directly against Americans who are trying to get a job, pulling down their wages while making it harder for them to get a job. I think that is going beyond what the responsibility of the government is.

It is our responsibility to follow the law as it is written, and it is the President's responsibility under his oath and duties as the Chief Executive and the chief law enforcement officer in America to see that our laws are enforced. If he wants to come back again with some other changes in the law, let him bring it up. Let's talk about it. But he does not get to do that on his own. I am pleased that the Supreme Court has stopped him at least with regard to this specific program, the so-called DAPA program.

I appreciate the opportunity to share these remarks.

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

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

ECONOMIC GROWTH

Mr. SULLIVAN. Mr. President, I have been on the floor quite a bit in the past several months talking about a topic I think the vast majority of Americans want us to focus on, and that is the economy. That is, in my opinion, something we don't do enough here, and certainly the current administration doesn't do enough. They never even seem to want to talk about the economy, and they do not because the news isn't good. When they do try to talk about the economy, they typically try to spin the facts and the bad news into good news. For the most part, as has become abundantly clear, when they do this, the media tries to repackage it, put a bow on it, and then the administration sells it back to the American public. Everything is going great, they tell us, or to use the language of the President's speechwriter and one of his chief spin doctors, in a recent New York Times magazine piece, he stated:

> We created an echo chamber. . . . They—
>
> The media—
>
> were saying things that validated what we had given them to say.

So to put that in simple terms: We tell them our spin, they print it, and that is good.

Well, with regard to the economy, I don't think many in America are buying it. And I am glad our Presidential candidates are finally starting to talk about this issue—economic growth for middle-class families. Secretary Clinton recently gave a speech on the economy where she mostly lambasted her opponent. She said that under Mr. Trump, the U.S. economy would be a disaster. Well, no disrespect to the former Secretary of State and former Senator, but in case Mrs. Clinton didn't notice, the economy already is a disaster right now, and we need to fix it.

I want to talk about that a little bit because it is something you never hear about from the media, from the administration, even from this body enough, to be honest, and yet Americans are feeling it all across the country. Under this administration, we have now had the worst economic recovery since the Great Depression. The executive branch may have a reverberating echo chamber, but the American people know what is going on when it comes to the economy, and it is not a pretty picture.

Let me provide some examples of the Obama administration's anemic economy and what it has done to the thing we all believe in—we all believe in—and that is the American dream.

First, let's talk about our country's gross domestic product. As you know, the GDP of the United States is really a marker for our country's health. It is

basically a marker of American progress. It is a marker of the American dream. And with regard to the health of the economy, right now it is not healthy. We have a sick economy.

Last quarter, this economy grew at only 0.8 percent GDP growth. It essentially didn't grow. To put that in perspective, if you look at one of the things that have made our Nation great, it is that year after year, decade after decade, Democratic or Republican administration, we have always typically grown at traditional levels of American GDP growth—3 percent, 3.5 percent, 4 percent GDP growth, 5 percent, 6 percent in some eras.

Looking at this chart, which I have brought to the floor many times, it looks at the Kennedy, Johnson, Nixon, Ford, Carter, Reagan, Bush, and Clinton administrations. Obviously, there are ups and downs. There was some really strong growth—Kennedy, Johnson, Reagan, Clinton; 4 percent, 4.5 percent, 5 percent GDP growth. But this red line right here, this 3 percent, that is at least the number we need to hit, that everybody thinks we should be hitting. For most administrations, it has been way above that. In the 8 years now with President Obama, it never hit once—not once. Never hit 3 percent GDP growth.

That is not what we were promised by this administration when they put forward their policies, many of which, in the early years of this administration, were supported by the Congress. Remember the stimulus package? Remember the Affordable Care Act? These were all things that were going to stimulate the economy. As a matter of fact, we were told—and these were numbers from the Obama administration—that by 2010, we would see 3 percent GDP growth, and that by 2011 to 2014, we would be at 4.1 percent GDP growth. That would have been good. Four percent is strong. That is what they told us. That is what they predicted with their policies. We never came close, and now they do not talk about that. You never hear the President talk about 3 percent, 4 percent. He sure did a lot early on. But their policies drove us in the other direction.

Now even the Federal Reserve, noting that we don't even hit 2 percent GDP growth any more, is essentially saying these numbers are not going to improve. They predicted just a couple of weeks ago that maybe we will hit 2 percent in the next 2 to 3 years—stagnant growth, surrendering the American dream. Yet nobody is talking about this.

This is the biggest issue facing our country. As Michael Boskin, a very well respected Stanford economics professor, stated recently, ''Mr. Obama will likely go down as having the worst economic growth record of any president since the trough of the Great Depression in 1933.'' That is right here. These are his numbers, by the way, right here.

So that is one thing, GDP growth. Let's talk about jobs. The American people are feeling what is happening with regard to jobs. Yes, the President likes to tout an unemployment rate that is going down. While that is true, the main reason the unemployment rate is going down is because the labor force participation rate is crashing. So most of the unemployment rate declines the President likes to talk about, his administration likes to talk about, have occurred because people have stopped looking for work. They have quit. They are done. They are so discouraged, they have just quit.

Let me give an example. Last month, in May, the jobs report sounded like a pretty good jobs report. Unemployment went from 5.1 percent down to 4.7 percent. That normally sounds good. But what really happened? Only 38,000 jobs were created and almost 700,000 Americans quit looking for work. They just quit. They were that frustrated. That is how we have this unemployment rate going down, not because of strong growth or a strong economy but because the American worker—the greatest workforce in the world, which built this amazing country—is now saying: I have had enough. I am so discouraged, I am just going to stop looking for a job. And that sends the unemployment rate down.

As I mentioned, year after year, the labor force participation rate has gone down dramatically and—I know this is kind of an economic term—a little wonky. I think it is really a measure of the optimism or the hope of the American worker. I like to call it the American worker hope index, and if you look at where it is right now, we haven't had a hope index this low since the malaise of the Carter years. As a matter of fact, the hope index we have right now under President Obama—just look at that—is cratering. It is the same as it was in 1978.

So, Mr. President, that is the job situation. That is what is happening with the hope of American workers, but also, just looking at the straight numbers, in the last 7 years Americans have become poorer. Under the President—under his administration—real median household income has gone down by 2.3 percent, from $54,920 to $53,600. That doesn't seem like a lot, this number, but for decades the trend and this number, of course, have always been up—always. So the fact that it is going in the wrong direction is a very bad sign. Essentially, Americans and their families have become poorer.

The same with home ownership. Look at this number. One of the biggest indicators of the American dream is home ownership. Again, the number is going in the wrong direction. Household income and home ownership are down, causing Americans to increasingly have to rely on government assistance. We are a proud people. This is not what most Americans want to be doing. Yet, when we look at the number of Americans on food stamps, it has almost increased by 40 percent—40 percent—from 33 million Americans to nearly 46 million. These are people who want to work. These are people who want jobs to care for their families. Yet that number is soaring.

Finally, I want to talk briefly about the Nation's fiscal outlook. If we want to talk about a number that is soaring, look at this number: The national debt of the United States—literally, one of the most important issues facing our Nation—has essentially doubled since the President took office. The national debt was $10 trillion. Today it has exploded to over $19 trillion. No other President in the history of the United States has racked up so much debt and done so much damage to the balance sheet of our Nation. Let me give one example.

Our debt now is so high, for the first time in U.S. history, our AAA credit rating—the full faith and credit of the United States. We have always had it, ever since there has been a rating, for 70 years. It was downgraded. A lot of people forget that. It was downgraded.

I look at these hard-working pages and this debt issue. If we don't get control of it, if the Congress doesn't get control of it, if the administration doesn't, it is going to be on their backs, our young people, and that is simply—simply—not fair.

I would like to summarize. The number of people giving up looking for work in our country has increased dramatically by the millions; wages for jobs have been stagnant; household incomes—families, essentially—have become poorer; economic growth is at alltime lows, at least in the last 70 years; the dream of buying a house is slipping away; and the national debt has exploded. This is the economy of this administration.

What is still interesting is 7½ years after they took office—with their policies, where they promised a 4-percent GDP growth, strong job growth—they are still looking in the rearview mirror, and when they are shown some of these numbers, they point fingers at the people who came before them, after nearly two terms in office. Well, this is the President's economy. He owns it. He should take responsibility for it, and he should start talking about it and instituting policies that start to change this, but we don't hear him or his administration do that. We don't hear them tout their record. They start to focus on this echo chamber. Fortunately, others in the public eye are more forthcoming. We are starting to talk about it more on the Senate floor. I wish my colleagues on the other side of the aisle would come out and talk about it a little bit.

Certainly, as I mentioned, former Senator Clinton was talking about it, and her husband, former President Bill Clinton, has been talking about the economy. To be honest, President Clinton has actually put his finger on what is happening. He stated:

Millions and millions and millions and millions of people look at that pretty picture of [the America economy] Obama [has] painted

and they cannot find themselves in it to save their lives.

Former President Clinton also recently said this:

> The problem is, 80 percent of the American people are still living on what they were living on the day before the [2008 financial] crash. And about half the American people, after you adjust for inflation, are living on what they were living on the last day I was president 15 years ago.

That is what the matter is. That is former President Clinton. Even Secretary Clinton has apparently decided it is prudent to step out of the echo chamber of the administration she used to work for and confirm to the American people what is happening because when you leave Washington, DC, you see it, you hear it.

In an interview with the Washington Post on Tuesday, she talked about how our current economy has failed many in this country. She even stated:

> What people are feeling is that the economy failed them, their government failed them. You don't have to go just to coal country to see that. You can go to a lot of parts of America, where people had good, decent jobs that provided a good middle class life for them and their kids. That was the American Dream. That's how we used to define it.

That is a former Secretary of State, former Senator, who is putting her finger on what is actually happening.

We need to rekindle the American dream. We need to rekindle traditional levels of American growth. Our economy is sick. The American worker can't find the great jobs that have sustained him and her in the past. What this body needs to do is focus more on these issues. Certainly, what the Obama administration needs to do is level with the American people about these challenges because besides protecting the Nation's national security, the No. 1 thing we can be doing here is focusing on policies that drive economic growth, that drive true hope, and job creation. That is what we need to be doing more of in the U.S. Senate.

I yield the floor.

The PRESIDING OFFICER (Mr. SULLIVAN). The Senator from the great State of Alaska.

REMEMBERING FREDERICK CHARLES ''BULLDOG'' BECKER IV

Ms. MURKOWSKI. Mr. President, I am going to be getting on an airplane tomorrow morning to head home to join with Alaskans who are coming together to celebrate the life of a man I affectionately know as ''Bulldog.'' This is Frederick Charles Becker IV. I think that as Alaskans gather to celebrate the life of a truly extraordinary man who served his country so honorably, we will remember with great fondness a veteran who was passionate about his country, a veteran who was passionate about his State, and a veteran who truly had a love of life that he shared with so many of us. I know I was certainly honored to call him friend, and I believe that Senator SULLIVAN, who is presiding over the Senate this hour, shared that same affection for truly a great man.

There is always a lot of speculation about someone's name. When you have a name like Bulldog, there are a lot of questions. How did he come to be named Bulldog? Was it because his family had a passion for raising and breeding and showing English bulldogs? I didn't even know that. Apparently, they had a lot of English bulldogs. But that is really not why he carries that nickname. He took the moniker of ''Bulldog'' because of his tenacity.

Those of us who know him say, yes, of course, that is appropriate. Nobody knows this better than Bulldog's brothers at the Combat Veterans Motorcycle Association Chapter 43–1 and the Alaska Veterans Motorcycle Club, who will be out in force tomorrow to honor one of their own.

I had an opportunity this afternoon to meet with a fellow veteran and member of the Alaska Veterans Motorcycle Club who is leaving tonight so that he can get to Anchorage tomorrow, where so many of those who loved Bulldog will be gathering to ride to Fort Richardson for this service. It will truly be a sight to be seen.

Bulldog Becker was born in Petersburg, VA, on May 28, 1943. He married his wife Betty on January 12, 1963. He joined the Air Force and relocated to Dover, DE. He served three tours in Vietnam. Ultimately, he was transferred to Elmendorf Air Force Base just outside of Anchorage. Bulldog and Betty moved three kids, as well as three bulldogs and a cat. They all came up the Alaska Highway in a Dodge van. They were towing a trailer that had the infamous sign on the back that said ''Alaska or Bust.'' They were living the dream.

Bulldog lived a life that was truly focused around his country. He retired from the military in 1981 as a master sergeant. He then transitioned to a civilian career in retail loss prevention, rising to the position of regional asset protection manager for Sears.

If you had a chance to spend any time with Bulldog over these past many years, you know that as a veteran and as a patriot, Bulldog was not shy to talk about how he felt his fellow veterans were treated when they returned home from the Vietnam war. He was a bulldog in his approach, if you will. He was determined that no future veteran would suffer the same treatment. He was so thoroughly devoted to this principle. He was at every ceremony, every recognition. Any time there were opportunities to welcome brothers- and sisters-in-arms as they returned to our bases, as they returned to our community, Bulldog was always there. He was always there.

Bulldog was instrumental in organizing the annual Byers Lake Memorial Day motorcycle run. I want to digress a moment from his life to talk about the significance of this event because it is, for me, probably one of the most powerful and meaningful Memorial Day tributes that I have ever been able to participate in, and I go or try to go every year. I missed this year. I say that with a heaviness because I always look forward to being with the Veterans Motorcycle Clubs. Every now and again, I would get the honor of riding on the bikes with them. Bulldog is there front and center every year; he is a participant.

This Alaska State Veterans Memorial is located off the Parks Highway at Byers Lake. If you are driving the road between Anchorage and Fairbanks, you might not even notice it because it is 147 miles from Anchorage and it is 214 miles from Fairbanks. You are midway in between on the highway. It sits up on a hilltop in an extraordinarily picturesque spot. As you look out to the memorial itself, the way it is framed, when Denali is out, it is sitting front and center, spectacular as it possibly can be. It will take your breath away. The monument, tucked into the trees, gives you a sense of serenity, of peace, but also extraordinary pride in the men and women who served us there.

I give you a little bit of a geography lesson to remind you that this is not an easy place to get to on a Memorial Day. It is in between the two big cities, the two anchors. To make the trip out there, as so many of our veterans do, is truly an opportunity to pay tribute in a way that is meaningful. This is more than just getting up, having a late breakfast, and going to the Memorial Day services on the Anchorage Park Strip or in downtown Fairbanks. This is a special place, led by special Alaskans, led by special veterans, and Bulldog was one of those.

The recollection I will have moving forward is, whether it is a Memorial Day gathering at Byers Lake, whether it is the salute to the military, whether it is the Veterans Day ceremonies, whether it is the many parades, whether it is the Forgotten Soldiers ceremony, in my mind, Bulldog is always part of that picture, and he will always be part of that picture for me.

As Bulldog joins Betty, his beloved wife of 51 years, in Heaven, he leaves a strong, multigenerational family legacy of children, grandchildren and great-grandchildren.

I am honored to have known this distinguished Alaskan. I am proud to share his story with my Senate colleagues. I will take the love so many of us have for this man and treasured veteran to my grave because he truly is one of the greats.

With that, I thank you.

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. 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.

ETHAN ALLEN DAY

Mr. LEAHY. Mr. President, Vermonters have many heroes, among them the original Green Mountain Boy, Ethan Allen. Today marks an important milestone in both Vermont and U.S. history as we remember the many contributions of Ethan Allen. Both a political and military figure in the years leading up to the American Revolution, Ethan Allen played a key role in championing Vermont statehood, setting our State on the path to be the standard bearer it is today on so many issues. Ethan Allen was instrumental in the capture of Fort Ticonderoga from British forces in 1775, which contributed significantly to the success of the new nation in its fight for independence.

Ethan Allen is among the Founders of my home State of Vermont and an original organizer of the Green Mountain Boys—a rough and tumble bunch who did their part in the fight for independence in the Revolutionary War. His legacy lives on in Vermont today. Ethan Allen is celebrated annually by hundreds of people, from Vermont and across the Nation, who visit his historic homestead in Burlington to commemorate his life and to celebrate his contributions to American history.

Understanding our heritage means understanding the achievements and the sacrifices that have been made by so many, in forging the great State and the great Nation that is part of our legacy as Vermonters and as Americans. Looking to heroes like Ethan Allen helps us to appreciate, protect, and build an even brighter future for generations of Americans and generations of Vermonters to come.

TRIBUTE TO NORA JACOBSON

Mr. LEAHY. Mr. President, I want to congratulate Nora Jacobson, a documentary film maker from Norwich, VT, who recently was awarded the 2016 Herb Lockwood Prize in the Arts.

Herb Lockwood, originally from upstate New York, moved to Vermont in 1982 where he became widely respected for the extraordinary breadth and depth of his artistic talents. He was a painter, writer, woodworker, sculptor, cartoonist, and a master guitar player who inspired people of all ages, and his untimely death from a workplace accident in 1987 at the age of 27 led his friends and fans to publish his music and writings and led to his brother Todd to create the prize that bears Herb's name.

Each year, the prize is awarded to a Vermonter whose work demonstrates a high level of artistic achievement, coupled with originality, innovation, and imagination; whose creativity, drive and philosophy serve as inspiration to other artists; and who has had a beneficent influence on the Vermont community. The prize includes a cash award of $10,000. The Burlington City Arts Foundation administers the prize through the generosity of private donors.

I commend Todd Lockwood for honoring his brother's life in this way and am very pleased that Nora Jacobson is this year's prize winner. Nora grew up on a hilltop farm in Norwich, and with the exception of a few years away, she has spent her life in Vermont. She has produced a number of documentary films, some of which took as long as a decade to shoot and edit, like ''Delivered Vacant,'' about gentrification in Hoboken, NJ, and ''Freedom and Unity: The Vermont Movie,'' a unique portrayal of memorable periods and individuals in Vermont's 225-year history. The film is the product of the collaboration of dozens of film makers, conceived and directed by Nora, and it was shown in town halls and other locations around the state.

Throughout her career as an independent film maker, Nora Jacobson has demonstrated the same passionate devotion to film and recognition of the importance the arts have for Vermont communities that people so admired in Herb Lockwood. She is a well-deserving recipient of this year's Herb Lockwood Prize.

TRIBUTE TO JOHN GLENN AND RECOGNIZING THE JOHN GLENN COLUMBUS INTERNATIONAL AIRPORT

Mr. PORTMAN. Mr. President, today I wish to honor an American hero, a former marine, a former astronaut, a former U.S. Senator, and a friend, John Glenn. I also wish to celebrate renaming Port Columbus International Airport, Port Columbus, the John Glenn Columbus International Airport.

John Glenn is a former Marine Corps aviator and veteran of both the Second World War and the Korean war. He became the first American to orbit the Earth on February 20, 1962. After retirement from his position at NASA, John Glenn served as a member of the U.S. Senate, representing his home State of Ohio from 1974 until 1999.

John Glenn is the last surviving member of a group of military test pilots known as the Mercury Seven, who participated in the early stages of space exploration in the United States. Glenn was one of America's first astronauts whom NASA selected to fly the Project Mercury spacecraft. He would later return to space in 1998, becoming the oldest person to go into space. In the same year of his return to space, John Glenn helped found the John Glenn Institute of Public Service and Public Policy at the Ohio State University which recently has grown and expanded to become the John Glenn College of Public Affairs. It is one of the best public policy colleges in the country, and I am honored to serve on the advisory board. I have seen firsthand how his legacy is helping to create future leaders.

Port Columbus is one of the most important economic resources for Central Ohio. Port Columbus provides more than 33,000 jobs and has an annual economic output of $3.7 billion. Port Columbus serves nearly 6.8 million passengers each year. It is fitting that this important landmark be renamed to honor John Glenn, someone who has contributed so much to the aerospace and aviation industry.

I am honored to recognize John Glenn and the John Glenn Columbus International Airport, and I congratulate all who were involved in this accomplishment.

TRIBUTE TO CORPORAL DUANE DEWEY

Mr. PETERS. Mr. President, today I wish to recognize CPL Duane Dewey, of Baldwin, MI, for conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty while serving as a gunner in a machine-gun platoon of Company E, Second Battalion, Fifth Marines, First Marine Division, Reinforced, in action against enemy aggressor forces near Panmunjom, Korea, on April 16, 1952.

Dewey was born on November 16, 1931, in Grand Rapids, MI. He attended school in Muskegon until 1947. He then worked for 6 months on a farm in South Haven and for a year as a foundry worker at National Motors, Inc.

Dewey signed with the Marine Corps Reserve on March 7, 1951, for an ''indefinite'' enlistment—the duration of the war, plus 6 months. He completed recruit training at the Marine Corps Recruit Depot Parris Island in South Carolina and underwent intensive combat training at Camp Pendleton, CA.

When an enemy grenade landed close to his position while he and his assistant gunner were receiving medical attention for their wounds during a fierce night attack by numerically superior hostile forces, Corporal Dewey, although suffering intense pain, immediately pulled the corpsman to the ground and shouted a warning to the other marines around him. He bravely smothered the deadly missile with his body, personally absorbing the full force of the explosion to save his comrades from possible injury or death.

After treatment of his wounds in Korea, Dewey was evacuated to the U.S. Naval Hospital in Yokosuka, Japan, and then to the U.S. Naval Hospital in Mare Island, CA, before being transported to the Great Lakes, IL hospital. Following his recuperation at Great Lakes, he was released from active duty on August 19, 1952.

On March 12, 1953, Dewey was the first person to receive the Medal of Honor from President Dwight D. Eisenhower. After presenting the medal to Dewey during the ceremony at the White House, Eisenhower said to him, ''You must have a body of steel.'' Dewey's military awards include the Purple Heart Medal, the Navy Presidential Unit Citation, the National Defense Service Medal, the Korean Service Medal with two bronze service stars, and the United Nations Service Medal.

I am honored to ask my colleagues to join me today in recognizing CPL Duane Dewey for his service to the United States of America. His indomitable courage, outstanding initiative, and valiant efforts on behalf of others in the face of almost certain death reflect the highest credit upon Corporal Dewey and enhance the finest traditions of the U.S. naval service.

RECOGNIZING THE COLUMBUS METROPOLITAN LIBRARY MAIN LIBRARY

Mr. PORTMAN. Mr. President, today I wish to recognize Columbus Metropolitan Library, CML, and its Main Library in downtown Columbus. This week, the CML Main Library will celebrate its third major opening since being dedicated on April 4, 1907. It has recently undergone a major $35 million restoration that will help revitalize downtown Columbus for years to come and provide significant resources to the people of Columbus.

Since its opening in 1907, CML Main Library has served its community with distinction. In 2014, CML Main Library had 725,000 visitors and a circulation of 1.35 million. CML Main Library engages with the community through service programs such as Homework Help Centers, Reading Buddies, and Summer Reading Club for Kindergarten. It also provides resources to help our community reach its potential with college and career readiness, GED help, adult learning, and job assistance.

CML has been recognized as a leading library in our Nation. The vision of CML is to achieve ''a thriving community where wisdom prevails.'' In 2011, CML was named a National Medal Winner by the Institute for Museum and Library Services for its work in community service, which is the highest honor for libraries and museums. CML has also been rated a 5-star library for 7 of the last 8 years by the Library Journal.

The work that is being done by the CML is commendable, and I am confident that the restoration of the CML Main Library will add to its success in the future. I extend my congratulations to all who were involved in reaching this important milestone.

ADDITIONAL STATEMENTS

TRIBUTE TO DR. RUTH HAWKINS

• Mr. BOOZMAN. Mr. President, today I wish to recognize the contributions of Dr. Ruth Hawkins, the director of the Arkansas State University Heritage Sites program. Her commitment to preservation, history, and tourism earned her the Arkansas Historical Association's Lifetime Achievement Award.

This is the latest in a list of accolades for her dedication to preserving places of historical significance in Arkansas. Her vision for telling the story of the State through restoration promotes an interest in the history and heritage of Arkansas and the people who have been blessed to call it home. She has been called an Arkansas preservation hero.

The Heritage Sites program preserves and promotes significant locations in the Arkansas Delta.

Dr. Hawkins played an instrumental role in restoration projects that are putting communities in Arkansas on the map. She led efforts to restore and open the Historic Dyess Colony: Johnny Cash Boyhood Home, which has made a small town in Arkansas a tourist destination. In the 2 years since it opened, the site has attracted people from all 50 States and about 30 countries. It is helping improve the economy of the Arkansas Delta.

Dr. Hawkins has led efforts to restore other history sites in the State include the Hemingway-Pfeiffer Museum and Cultural Center in Piggott, the Southern Tenant Farmers Museum in Tyronza, and Lakeport Plantation in Lake Village.

Her commitment to preserving historic sites allows Arkansans of all ages to experience educational opportunities that would otherwise be unavailable. These unique lessons unlock the natural and cultural heritage in the region, deepening knowledge and understanding of the area.

I congratulate Dr. Ruth Hawkins on her achievements as the director of the Arkansas Heritage Sites Program and her efforts to preserve Arkansas's unique history. Future generations of Arkansans and Americans will be able to learn about this history of the Natural State because of Dr. Hawkins passion for preservation.•

TRIBUTE TO LOUIS ARMENTARO

• Mr. DAINES. Mr. President, going to the rodeo is a longtime Montana tradition. Montanans sport their best boots and Stetson hats and shine up their belt buckles to connect with the rugged and untamable spirit that is the American cowboy. Livingston, MT is home to one of the longest standing rodeos in the State and home to the world record holding rodeo announcer, Louis Armentaro.

Over the Fourth of July weekend, I will have the privilege to honor Louis and watch him announce his 67th Livingston Roundup Rodeo. Louis started this tradition back in 1949, when he returned to Montana after serving in WWII. During his time in the Special Services in Japan, Louis delighted in running audio for his fellow soldiers at the GI theatre, ball games and parades. His passion for western swing and its ability to transport people inspired him to start Sound Over the West audio and announcing when he returned home.

As a child, Louis grew up with a passion for authentic country music. Not only is he one of the greatest curators of this style in Montana, he is also one of the most revered pedal steel guitar players in the country music community. In the early 1950s Louis, his brother Frank Armentaro and their friend Oscar Bergsing started the Rhythm Ramblers, one of the longest living bands in Montana. For decades they created a soundtrack for countless swing dancers across the State. While performances from the group are extremely rare today, Louis continues to play his steel guitar every morning. At 93 years old, he is one of the most experienced steel guitar players alive.

Louis, with the support of his devoted wife Donna, has become a pillar in the Livingston community. Not only have the couple raised and fostered an estimated 30 children, they are an indispensable part of the Livingston Roundup Rodeo. For many cowboys and cowgirls, this event is known as Cowboy Christmas; Louis Armentaro is their Santa Claus. He is the dependable voice and orchestrator and is the most recognizable attraction in the rodeo parade. During the parade and the rodeo, Louis blares his curated collection of western swing music. For the last six decades, he has introduced people of all ages to sounds of American country and the history these songs can teach.

I am proud to honor this unique man for his service to his community and our country.•

TRIBUTE TO BRANDON RASMUSSEN

• Mr. HELLER. Mr. President, today I wish to recognize one of Nevada's brightest students, Brandon Rasmussen, on being selected as a recipient of the 2016 Barry Goldwater Scholarship. Mr. Rasmussen is the sole recipient of this scholarship in the State of Nevada and one of nine students in the history of the University of Nevada, Reno, UNR, to be selected as a Barry Goldwater Scholar.

The Barry Goldwater Scholarship and Excellence in Education Program was created in 1986 by the U.S. Congress in honor of Barry Goldwater's service to our country. The scholarship recognizes students in pursuit of science, technology, engineering, and mathematics studies who plan to conduct research in these fields. In addition, the program awards recipients with $7,500 for future educational opportunities. I extend my sincerest congratulations to Mr. Rasmussen on this significant achievement.

Mr. Rasmussen is an honors program student at UNR, pursuing his bachelor's degrees in geology and geophysics, in addition to studying mathematics and physics. During his freshman year, he conducted research with Craig de Polo of the Nevada Bureau of Mines and Geology, where Mr. Rasmussen helped create research on flooding in Reno and coauthored a publication on the ditch flooding and historical damage in the Reno area. After

completing his undergraduate degree, he plans to earn his master's and doctorate degrees in a similar field. His determination and unwavering resolve to excel in his academic pursuits have not gone unnoticed. Mr. Rasmussen stands as a shining example to other Wolf Pack students of what hard work can accomplish.

Today I ask my colleagues and all Nevadans to join me in congratulating Mr. Rasmussen. He has worked hard to earn this incredible scholarship, and I wish him the best of luck in his future endeavors.●

TRIBUTE TO TAYLOR WILSON

● Mr. HELLER. Mr. President, today I wish to recognize a Nevada student, Taylor Wilson, who has gone above and beyond in his academic pursuits. Taylor built a nuclear reactor in his parents' garage and is 1 of only 32 people in the world to achieve a nuclear fusion reaction. Even more impressive, he achieved this feat at only 14 years old, making him the youngest individual in the world to create nuclear fusion.

From a young age, Taylor showed an interest in nuclear science. By age 10, he had already hung a periodic table in his room and memorized all of the atomic numbers, masses, and melting points. By age 13, he had set up his own nuclear laboratory in his family garage. Around this time, his family had heard about the Davidson Academy of Nevada in Reno, which educates some of the Nation's brightest and most determined students. Shortly thereafter, the Wilson family decided to make the move to the great State of Nevada and allow Taylor to attend school at the academy.

Upon arrival at the Davidson Academy of Nevada, Taylor began his work to build a nuclear reactor. By this time, he had acquired one of the most extensive collections of radioactive material in the world and began to gather pieces for his machine to attain his goal of nuclear fusion. With the help of numerous mentors from the University of Nevada, Reno and the Davidson Academy of Nevada, Taylor was successful in his endeavors. Shortly after his 14th birthday, Taylor and a mentor loaded deuterium fuel and powered his machine, ultimately confirming the presence of neutrons and nuclear fusion.

Taylor later decided his nuclear fusion machine would be best utilized as a bomb-sniffing application, using the fusion reactor to produce weapons-sniffing neutrons to scan containers as they passed through ports. In just a few weeks, Taylor continued his research and developed a concept for a device that would use a small reactor to indicate whether or not a weapon was inside. He was later contacted by the Department of Homeland Security for his innovative application.

For the last 3 years, Taylor has led major science fairs across the Nation and around the world and has been awarded nine prestigious accolades for his work. Without a doubt, Taylor's efforts are truly remarkable. I am proud to have a student of such unwavering dedication representing Nevada and would like to extend my sincerest congratulations to him for his numerous awards.

Today I wish to recognize the incredible work of one of Nevada's own, Taylor Wilson. I ask my colleagues to join me and all Nevadans in recognizing him for his many achievements, and I wish him the best of luck in all of his future endeavors.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

At 9:32 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 3209. An act to amend the Internal Revenue Code of 1986 to permit the disclosure of certain tax return information for the purpose of missing or exploited children investigations.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

At 10:31 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 139. Concurrent resolution providing for a correction in the enrollment of H.R. 2577.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the amendment of the Senate to the bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

The message also announced that the House of Representatives having proceeded to reconsider the resolution (H.J. Res. 88) disapproving the rule submitted by the Department of Labor relating to the definition of the term ''Fiduciary'', returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was resolved, that the said resolution do not pass, two-thirds of the House of Representatives not agreeing to pass the same.

ENROLLED BILLS SIGNED

At 2:16 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 2133. An act to improve Federal agency financial and administrative controls and procedures to assess and mitigate fraud risks, and to improve Federal agencies' development and use of data analytics for the purpose of identifying, preventing, and responding to fraud, including improper payments.

S. 2487. An act 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.

The enrolled bills were subsequently signed by the President pro tempore (Mr. HATCH.)

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

H.R. 5447. An act to provide an exception from certain group health plan requirements for qualified small employer health reimbursement arrangements.

H.R. 5456. An act to amend parts B and E of title IV of the Social Security Act to invest in funding prevention and family services to help keep children safe and supported at home, to ensure that children in foster care are placed in the least restrictive, most family-like, and appropriate settings, and for other purposes.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, June 23, 2016, she had presented to the President of the United States the following enrolled bills:

S. 2133. An act to improve Federal agency financial and administrative controls and procedures to assess and mitigate fraud risks, and to improve Federal agencies' development and use of data analytics for the purpose of identifying, preventing, and responding to fraud, including improper payments.

S. 2487. An act 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.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with

accompanying papers, reports, and documents, and were referred as indicated:

EC–5877. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Use of Electronic Information Exchange Systems; Miscellaneous Amendments'' (Docket No. APHIS–2016–0016) received in the Office of the President of the Senate on June 22, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5878. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendments to Swap Data Recordkeeping and Reporting Requirements for Cleared Swaps'' (RIN3038–AE12) received in the Office of the President of the Senate on June 22, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5879. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Bacillus amyloliquefaciens strain PTA–4838; Exemption from the Requirement of a Tolerance'' (FRL No. 9946–62) received in the Office of the President of the Senate on June 22, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5880. A communication from the Chair of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the Board's semiannual Monetary Policy Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC–5881. A communication from the Chairman of the Appraisal Subcommittee, Federal Financial Institutions Examination Council, transmitting, pursuant to law, the Appraisal Subcommittee's 2015 Annual Report; to the Committee on Banking, Housing, and Urban Affairs.

EC–5882. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the Unverified List (UVL)'' (RIN0694–AG96) received in the Office of the President of the Senate on June 22, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC–5883. A communication from the Associate General Counsel for Legislation and Regulations, Office of Community Planning and Development, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Continuum of Care Program—Increasing Mobility Options for Homeless Individuals and Families With Tenant-Based Rental Assistance''' (RIN2506–AC29) received in the Office of the President of the Senate on June 22, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC–5884. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Addition of Certain Persons and Removal of Certain Persons from the Entity List'' (RIN0694–AG94) received in the Office of the President of the Senate on June 22, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC–5885. A communication from the Assistant General Counsel for Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Inflation Catch-Up Adjustment of Civil Monetary Penalty Amounts'' (RIN2501–AD79) received in the Office of the President of the Senate on June 22, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC–5886. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval and Air Quality Designation; TN; Redesignation of the Shelby County 2008 8-Hour Ozone Nonattainment Area to Attainment'' (FRL No. 9948–02–Region 4) received in the Office of the President of the Senate on June 22, 2016; to the Committee on Environment and Public Works.

EC–5887. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Michigan; Update to Materials Incorporated by Reference'' (FRL No. 9946–98–Region 5) received in the Office of the President of the Senate on June 22, 2016; to the Committee on Environment and Public Works.

EC–5888. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Minnesota; Sulfur Dioxide'' (FRL No. 9948–21–Region 5) received in the Office of the President of the Senate on June 22, 2016; to the Committee on Environment and Public Works.

EC–5889. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; State of Kansas; Cross-State Air Pollution Rule'' (FRL No. 9948–13–Region 7) received in the Office of the President of the Senate on June 22, 2016; to the Committee on Environment and Public Works.

EC–5890. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; State of Missouri; Cross-State Air Pollution Rule'' (FRL No. 9948–15–Region 7) received in the Office of the President of the Senate on June 22, 2016; to the Committee on Environment and Public Works.

EC–5891. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Designation of Areas for Air Quality Planning Purposes; California; San Joaquin Valley; Reclassification as Serious Nonattainment for the 2006 PM2.5 NAAQS; Correction'' (FRL No. 9948–24–Region 9) received in the Office of the President of the Senate on June 22, 2016; to the Committee on Environment and Public Works.

EC–5892. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Determination of Attainment by the Attainment Date; 2008 Ozone National Ambient Air Quality Standards; Cleveland, Ohio and St. Louis, Missouri-Illinois Areas'' (FRL No. 9948–19–Region 5) received in the Office of the President of the Senate on June 22, 2016; to the Committee on Environment and Public Works.

EC–5893. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Effluent Limitations Guidelines and Standards for the Oil and Gas Extraction Point Source Category'' (FRL No. 9947–87–OW) received in the Office of the President of the Senate on June 22, 2016; to the Committee on Environment and Public Works.

EC–5894. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Limited Disapproval of Air Plan Revisions; Arizona; New Source Review; PM2.5'' (FRL No. 9948–01–Region 9) received in the Office of the President of the Senate on June 22, 2016; to the Committee on Environment and Public Works.

EC–5895. A communication from the Director of Congressional Affairs, Office of Chief Financial Officer, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Revision of Fee Schedules; Fee Recovery for Fiscal Year 2016'' ((RIN3150–AJ66) (NRC–2015–0223)) received in the Office of the President of the Senate on June 22, 2016; to the Committee on Environment and Public Works.

EC–5896. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Programs; Medicare Clinical Diagnostic Laboratory Test Payment System'' ((RIN0938–AS33) (CMS–1621-F)) received in the Office of the President of the Senate on June 21, 2016; to the Committee on Finance.

EC–5897. A communication from the Board of Trustees of the Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds, transmitting, pursuant to law, the Board's 2016 Annual Report; to the Committee on Finance.

EC–5898. A communication from the Board of Trustees of the Federal Old-Age and Survivors Insurance and Federal Disability Insurance Trust Funds, transmitting, pursuant to law, the Board's 2016 Annual Report; to the Committee on Finance.

EC–5899. A communication from the Chief Counsel, Foreign Claims Settlement Commission of the United States, Department of Justice, transmitting, pursuant to law, the Commission's annual report for 2015; to the Committee on Foreign Relations.

EC–5900. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Fiscal Year 2015 Compounding Quality Act Annual Report''; to the Committee on Health, Education, Labor, and Pensions.

EC–5901. A communication from the Director for Legislative Affairs, Department of Homeland Security, transmitting, pursuant to law, the fiscal year 2015 annual report for the Department's Office for Civil Rights and Civil Liberties; to the Committees on the Judiciary; Homeland Security and Governmental Affairs; and Select Committee on Intelligence.

EC–5902. A communication from the Acting Commissioner of the Social Security Administration, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from October 1, 2015 through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC–5903. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''General Services Administration Acquisition Regulation (GSAR); Transactional Data Reporting'' (RIN3090–AJ51) received in the Office of the President of the Senate on June 22, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC–5904. A communication from the Administrator, Environmental Protection Agency, transmitting, pursuant to law, the Department's Semiannual Report from the

Office of the Inspector General for the period from October 1, 2015 through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC–5905. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled ''Review of Marion S. Barry Summer Youth Employment Program Data and Activities''; to the Committee on Homeland Security and Governmental Affairs.

EC–5906. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled ''The District of Columbia Voter File: Compliance with Law and Best Practices''; to the Committee on Homeland Security and Governmental Affairs.

EC–5907. A communication from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting, pursuant to law, a report entitled ''Human Trafficking Awareness Training for Department of Homeland Security Personnel''; to the Committee on the Judiciary.

EC–5908. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled ''Coming Into Focus: The Future of Juvenile Justice Reform, 2014 Annual Report''; to the Committee on the Judiciary.

EC–5909. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation; Dragon Boat Races; Maumee River; Toledo, OH'' ((RIN1625–AA08) (Docket No. USCG–2016–0516)) received in the Office of the President of the Senate on June 21, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5910. A communication from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled ''Revisions to Safety Standard for Carriages and Strollers'' (Docket No. CSPC–2013–0019) received in the Office of the President of the Senate on June 21, 2016; to the Committee on Commerce, Science, and Transportation.

EC–5911. A communication from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''Removal of Outdated and Duplicative Guidance (2016–N010)'' (RIN2700–AE28) received in the Office of the President of the Senate on June 22, 2016; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–193. A petition from a citizen of the State of Texas relative to constitutional conventions; to the Committee on the Judiciary.

POM–194. A petition from a citizen of the State of Texas relative to civil rights; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INHOFE, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 2795. A bill to modernize the regulation of nuclear energy (Rept. No. 114–285).

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. CORKER for the Committee on Foreign Relations.

*Mary Beth Leonard, of Massachusetts, to be Representative of the United States of America to the African Union, with the rank and status of Ambassador Extraordinary and Plenipotentiary.

Nominee: Mary Beth Leonard.

Post: African Union.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: none.
2. Spouse: N/A.
3. Children and Spouses: N/A.
4. Parents: Earl W. Leonard—deceased; Margaret M. Leonard—none.
5. Grandparents: Joseph and Catherine Mastrorio—deceased; Thomas F. and Florence Leonard—deceased.
6. Brothers and Spouses: Michael Leonard—deceased.
7. Sisters and Spouses: Claire M. and William K. McIntire, none; Ann Marie and David N. Stoica, none.

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*Geeta Pasi, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Chad.

Nominee: Geeta Pasi.

Post: Chad.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.
2. Spouse: N/A.
3. Children and Spouses: N/A.
4. Parents: Kamla Pasi—deceased; Keshave Chandra Pasi—deceased.
5. Grandparents: Ruldu Ram Verma—deceased; Bimla Vati Verma—deceased; Karam Chand Pasi—deceased; Krishna Vati Pasi—deceased.
6. Brothers and Spouses: Sunil Kumar Pasi, brother, none; Hallie Lewis, wife of brother, none.
7. Sisters and Spouses: Usha Pasi, sister: $1,000, 11/15/12, Obama Victory Fund; Subir Sachdev, husband of sister: $500, 9/6/12, Bill Foster for Congress; Rita Pasi, sister: none.

Anne S. Casper, of Nevada, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Burundi.

Nominee: Anne Casper.

Post: Republic of Burundi.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.
2. Spouse: None.
3. Children and Spouses: N/A.
4. Parent: Ilene Casper: None.
5. Grandparents: N/A.
6. Brother and Spouse: Larry Casper and Stacy Steinberg: None.
7. Sisters and Spouses: N/A.

Mr. CORKER. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

*Foreign Service nomination of Richard Gustave Olson, Jr.

*Foreign Service nomination of Emily M. Scott.

*Foreign Service nominations beginning with Amanda R. Ahlers and ending with Lee V. Wilbur, which nominations were received by the Senate and appeared in the Congressional Record on May 18, 2016.

*Foreign Service nominations beginning with Jocelyn N. Adams and ending with Brian Joseph Zacherl, which nominations were received by the Senate and appeared in the Congressional Record on May 19, 2016.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SULLIVAN (for himself, Ms. CANTWELL, and Ms. MURKOWSKI):

S. 3088. A bill to provide a deadline for compliance with an alternate safety compliance program and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. BALDWIN (for herself, Mr. BLUMENTHAL, Ms. MIKULSKI, Mr. MARKEY, Mr. FRANKEN, Mr. LEAHY, Mrs. MURRAY, Mr. SCHATZ, and Mr. DURBIN):

S. 3089. A bill to amend title VII of the Civil Rights Act of 1964 and other statutes to clarify appropriate liability standards for Federal antidiscrimination claims; to the Committee on Health, Education, Labor, and Pensions.

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

S. 3090. A bill to amend title XVIII of the Social Security Act to establish a demonstration program to provide integrated care for Medicare beneficiaries with end-stage renal disease, and for other purposes; to the Committee on Finance.

By Mr. KING (for himself, Ms. AYOTTE, Mr. BROWN, and Mrs. CAPITO):

S. 3091. A bill to reauthorize the program of block grants to States for temporary assistance for needy families through fiscal year 2021, and for other purposes; to the Committee on Finance.

By Mr. HELLER (for himself and Mr. PETERS):

S. 3092. A bill to direct the Securities and Exchange Commission to provide a safe harbor related to certain investment fund research reports, and for other purposes; to the

Committee on Banking, Housing, and Urban Affairs.

By Ms. HIRONO:

S. 3093. A bill to amend the Carl D. Perkins Career and Technical Education Act of 2006 in order to improve career and technical education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWN (for himself and Mr. MCCAIN):

S. 3094. A bill to amend the Public Health Service Act to shorten the exclusivity period for brand name biological products from 12 to 7 years; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BOOKER (for himself, Mrs. CAPITO, Mr. BLUMENTHAL, Mr. MCCAIN, Ms. CANTWELL, and Ms. MURKOWSKI):

S. 3095. A bill to prohibit sale of shark fins and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WHITEHOUSE (for himself and Ms. WARREN):

S. 3096. A bill to establish a pilot program promoting an alternative payment model for person-centered care for Medicare beneficiaries with advanced illnesses; to the Committee on Finance.

By Mr. SCHATZ (for himself, Mr. HELLER, Mr. NELSON, and Mr. COONS):

S. 3097. A bill to establish the SelectUSA program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SULLIVAN:

S. 3098. A bill to remove reversionary clauses on property owned by the municipality of Anchorage, Alaska; to the Committee on Energy and Natural Resources.

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

S. 3099. A bill to preserve and enhance saltwater fishing opportunities for recreational anglers, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mrs. MURRAY (for herself, Ms. BALDWIN, Mr. BENNET, Mr. BOOKER, Mrs. BOXER, Mr. BLUMENTHAL, Mr. BROWN, Ms. CANTWELL, Mr. CARPER, Mr. CASEY, Mr. COONS, Mr. DURBIN, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Ms. HEITKAMP, Ms. HIRONO, Mr. KAINE, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MARKEY, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MURPHY, Mr. PETERS, Mr. REED, Mr. REID, Mr. SANDERS, Mr. SCHUMER, Mrs. SHAHEEN, Ms. STABENOW, Mr. TESTER, Mr. UDALL, Ms. WARREN, Mr. WHITEHOUSE, and Mr. WYDEN):

S. Res. 510. A resolution affirming the importance of title IX, applauding the increase in educational opportunities available to women and girls, and recognizing the tremendous amount of work left to be done to further increase such opportunities; to the Committee on Health, Education, Labor, and Pensions.

By Ms. BALDWIN (for herself, Mrs. MURRAY, Ms. HIRONO, Mr. MARKEY, Ms. CANTWELL, Mr. DURBIN, Mr. BOOKER, Mr. WYDEN, Mr. BROWN, Mr. FRANKEN, Mr. MERKLEY, Ms. HEITKAMP, Mr. SCHUMER, Mr. COONS, Mr. SANDERS, Mr. HEINRICH, Mr. CARDIN, Mr. BLUMENTHAL, Ms. MIKULSKI, Mr. WHITEHOUSE, Mr. PETERS, Mrs. FEINSTEIN, Mr. CASEY, Mr. LEAHY, Mr. CARPER, Mr. MENENDEZ, Mr. KAINE, Mrs. BOXER, Mrs. SHAHEEN, Mr. REID, Mr. MURPHY, and Mr. SCHATZ):

S. Res. 511. A resolution expressing support for the designation of June 26, 2016, as ''LGBT Equality Day'' ; to the Committee on the Judiciary.

By Ms. HEITKAMP (for herself, Mr. HELLER, Mr. SULLIVAN, Mr. BLUMENTHAL, Mr. TILLIS, Mrs. MURRAY, Mr. GRASSLEY, Mrs. FEINSTEIN, Ms. COLLINS, Mr. WARNER, Mr. INHOFE, Ms. MIKULSKI, Mr. BLUNT, Mr. DURBIN, Mr. HOEVEN, Mr. CASEY, Mr. DAINES, Ms. BALDWIN, Ms. MURKOWSKI, Mr. TESTER, Mr. MORAN, Mr. MARKEY, Mr. CRAPO, Mr. COONS, Mr. ROBERTS, Mr. PETERS, Mr. KING, Ms. HIRONO, Ms. STABENOW, Mr. BROWN, and Mr. DONNELLY):

S. Res. 512. A resolution designating the month of June 2016 as ''National Post-Traumatic Stress Awareness Month'' and June 27, 2016, as ''National Post-Traumatic Stress Awareness Day''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 6

At the request of Mr. UDALL, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 6, a bill to reform our government, reduce the grip of special interest, and return our democracy to the American people through increased transparency and oversight of our elections and government.

S. 71

At the request of Mr. VITTER, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 71, a bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects.

S. 488

At the request of Mr. SCHUMER, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 488, a bill to amend title XVIII of the Social Security Act to allow physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive cardiac, and pulmonary rehabilitation programs.

S. 578

At the request of Mr. SCHUMER, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 578, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 603

At the request of Mr. TESTER, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 603, a bill to amend title 38, United States Code, to make permanent the authority of the Secretary of Veterans Affairs to transport individuals to and from facilities of the Department of Veterans Affairs in connection with rehabilitation, counseling, examination, treatment, and care, and for other purposes.

S. 843

At the request of Mr. BROWN, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 843, a bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare.

S. 1462

At the request of Mr. SCHUMER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1462, a bill to improve the safety of oil shipments by rail and for other purposes.

S. 1559

At the request of Ms. AYOTTE, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1559, a bill to protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

S. 1737

At the request of Ms. STABENOW, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1737, a bill to provide an incentive for businesses to bring jobs back to America.

S. 1833

At the request of Mr. CASEY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1833, a bill to amend the Richard B. Russell National School Lunch Act to improve the child and adult care food program.

S. 1982

At the request of Mr. CARDIN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1982, a bill to authorize a Wall of Remembrance as part of the Korean War Veterans Memorial and to allow certain private contributions to fund the Wall of Remembrance.

S. 2219

At the request of Mrs. SHAHEEN, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 2219, a bill to require the Secretary of Commerce to conduct an assessment and analysis of the outdoor recreation economy of the United States, and for other purposes.

S. 2235

At the request of Mr. MARKEY, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 2235, a bill to repeal debt collection amendments made by the Bipartisan Budget Act of 2015.

S. 2373

At the request of Ms. CANTWELL, the name of the Senator from California

(Mrs. BOXER) was added as a cosponsor of S. 2373, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 2541

At the request of Mr. BLUMENTHAL, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2541, a bill to amend the Lacey Act Amendments of 1981 to clarify provisions enacted by the Captive Wildlife Safety Act to further the conservation of prohibited wildlife species.

S. 2597

At the request of Mr. BROWN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2597, a bill to amend title XVIII of the Social Security Act to provide for treatment of clinical psychologists as physicians for purposes of furnishing clinical psychologist services under the Medicare program.

S. 2795

At the request of Mr. INHOFE, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2795, a bill to modernize the regulation of nuclear energy.

S. 2873

At the request of Mr. HATCH, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2873, a bill to require studies and reports examining the use of, and opportunities to use, technology-enabled collaborative learning and capacity building models to improve programs of the Department of Health and Human Services, and for other purposes.

S. 2989

At the request of Ms. MURKOWSKI, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 2989, a bill to award a Congressional Gold Medal, collectively, to the United States merchant mariners of World War II, in recognition of their dedicated and vital service during World War II.

S. 3023

At the request of Mrs. MCCASKILL, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 3023, a bill to provide for the reconsideration of claims for disability compensation for veterans who were the subjects of experiments by the Department of Defense during World War II that were conducted to assess the effects of mustard gas or lewisite on people, and for other purposes.

S. 3039

At the request of Mr. KING, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 3039, a bill to support programs for mosquito-borne and other vector-borne disease surveillance and control.

S. 3060

At the request of Ms. HEITKAMP, the names of the Senator from Missouri (Mrs. MCCASKILL) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 3060, a bill to provide an exception from certain group health plan requirements for qualified small employer health reimbursement arrangements.

S. 3082

At the request of Mr. PETERS, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 3082, a bill to amend title XVIII of the Social Security Act to reduce the occurrence of diabetes in Medicare beneficiaries by extending coverage under Medicare for medical nutrition therapy services to such beneficiaries with pre-diabetes or with risk factors for developing type 2 diabetes.

S. 3087

At the request of Mr. SULLIVAN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 3087, a bill to establish the American Fisheries Advisory Committee to assist in the awarding of fisheries research and development grants and for other purposes.

S.J. RES. 35

At the request of Mr. FLAKE, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Alabama (Mr. SHELBY) were added as cosponsors of S.J. Res. 35, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Department of Labor relating to ''Interpretation of the 'Advice' Exemption in Section 203(c) of the Labor-Management Reporting and Disclosure Act''.

S. CON. RES. 39

At the request of Mr. NELSON, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. Con. Res. 39, a concurrent resolution honoring the members of the United States Air Force who were casualties of the June 25, 1996, terrorist bombing of the United States Sector Khobar Towers military housing complex on Dhahran Air Base.

S. RES. 432

At the request of Mr. CARDIN, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. Res. 432, a resolution supporting respect for human rights and encouraging inclusive governance in Ethiopia.

S. RES. 504

At the request of Mr. BOOZMAN, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. Res. 504, a resolution recognizing the 70th anniversary of the Fulbright Program.

AMENDMENT NO. 4848

At the request of Ms. MIKULSKI, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of amendment No. 4848 intended to be proposed to H.R. 2578, a bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 510—AFFIRMING THE IMPORTANCE OF TITLE IX, APPLAUDING THE INCREASE IN EDUCATIONAL OPPORTUNITIES AVAILABLE TO WOMEN AND GIRLS, AND RECOGNIZING THE TREMENDOUS AMOUNT OF WORK LEFT TO BE DONE TO FURTHER INCREASE SUCH OPPORTUNITIES

Mrs. MURRAY (for herself, Ms. BALDWIN, Mr. BENNET, Mr. BOOKER, Mrs. BOXER, Mr. BLUMENTHAL, Mr. BROWN, Ms. CANTWELL, Mr. CARPER, Mr. CASEY, Mr. COONS, Mr. DURBIN, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Ms. HEITKAMP, Ms. HIRONO, Mr. KAINE, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MARKEY, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MURPHY, Mr. PETERS, Mr. REED, Mr. REID, Mr. SANDERS, Mr. SCHUMER, Mrs. SHAHEEN, Ms. STABENOW, Mr. TESTER, Mr. UDALL, Ms. WARREN, Mr. WHITEHOUSE, and Mr. WYDEN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 510

Whereas 44 years ago President Richard M. Nixon signed title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) into law (referred to in this preamble as ''title IX''), and in 2002 a resolution was passed establishing that such title may be cited as the ''Patsy Takemoto Mink Equal Opportunity in Education Act'';

Whereas title IX prohibits any educational institution that receives Federal education funding from discriminating against students or employees on the basis of sex;

Whereas sex discrimination includes gender-based violence, sexual harassment and assault, dating violence, and domestic violence;

Whereas title IX guarantees equal educational opportunities for all students, including lesbian, gay, bisexual, and transgender (referred to in this preamble as ''LGBT'') students, pregnant or parenting students, and gender nonconforming students;

Whereas since 1972, the United States has made great progress in providing educational opportunities to women and girls, and in 2016 women earn the majority of doctoral, master's, baccalaureate, and associate's degrees;

Whereas since 1972, the participation of women and girls in sports has increased by almost 900 percent in high school and almost 500 percent in college, providing women and girls with the opportunity to develop leadership and teamwork skills, earn athletic scholarships to help finance a college degree, and become successful professional athletes;

Whereas, despite the progress that has been made in higher education and athletics, women, girls, pregnant or parenting students, LGBT individuals, and gender nonconforming individuals in the United States are still too often denied equal educational opportunities;

Whereas the share of baccalaureate degrees in science, technology, engineering, and mathematics earned by women has decreased over the past decade, and women now earn only 19 percent of engineering degrees, 18 percent of computing degrees, 42 percent of mathematics degrees, and 39 percent of physical science degrees, at the baccalaureate level;

Whereas women of color earn only 6 percent of computing degrees and 3 percent of engineering degrees at the baccalaureate level;

Whereas women have about 64,000 fewer opportunities than men to participate in college sports, and in 2015 only 37 of the 313 athletic directors in Division I sports were women;

Whereas multiple studies have confirmed that 1 in 5 women are sexually assaulted on college campuses and about 20 percent of girls have been the victims of sexual assault or attempted sexual assault while in high school;

Whereas more than 50 percent of girls in grades 7 through 12 experience sexual harassment and 10 percent of high school students experience dating violence each year, which can lead to symptoms of depression, anxiety, and unhealthy and antisocial behaviors, and can negatively impact academic achievement;

Whereas men still hold the vast majority of school leadership positions, and only about 31 percent of full professors at degree-granting postsecondary institutions are women, 26 percent of college and university presidents are women, and 27 percent of school district superintendents are women;

Whereas pregnant and parenting students are more likely to drop out of high school than other students, and only 51 percent of mothers under the age of 20 earn a high school diploma by the age of 22, leading to decreased opportunities for continuing education and employment; and

Whereas LGBT students face pervasive discrimination and harassment in school, on college campuses, and in the workforce, impeding their ability to fully access the educational opportunities they are entitled to: Now, therefore, be it

Resolved, That the Senate—

(1) applauds the tremendous increase in educational opportunities, including in sports, for women and girls since the passage of title IX of the Education Amendments of 1972;

(2) commends the work of the Department of Education and the Department of Justice to ensure that students have a safe learning environment by working to ensure that schools prevent and respond to discrimination and harassment on the basis of sex, including sexual assault, harassment, domestic and dating violence, pregnancy, sex-stereotyping, and discrimination based on actual or perceived gender identity; and

(3) recognizes that progress must still be made to secure the promise of such title IX that no educational institution that receives Federal education funding discriminates against any person because of their sex.

SENATE RESOLUTION 511—EXPRESSING SUPPORT FOR THE DESIGNATION OF JUNE 26, 2016, AS ''LGBT EQUALITY DAY''

Ms. BALDWIN (for herself, Mrs. MURRAY, Ms. HIRONO, Mr. MARKEY, Ms. CANTWELL, Mr. DURBIN, Mr. BOOKER, Mr. WYDEN, Mr. BROWN, Mr. FRANKEN, Mr. MERKLEY, Ms. HEITKAMP, Mr. SCHUMER, Mr. COONS, Mr. SANDERS, Mr. HEINRICH, Mr. CARDIN, Mr. BLUMENTHAL, Ms. MIKULSKI, Mr. WHITEHOUSE, Mr. PETERS, Mrs. FEINSTEIN, Mr. CASEY, Mr. LEAHY, Mr. CARPER, Mr. MENENDEZ, Mr. KAINE, Mrs. BOXER, Mrs. SHAHEEN, Mr. REID, Mr. MURPHY, and Mr. SCHATZ) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 511

Whereas the United States recognizes that all individuals should be treated equally;

Whereas Members of the 114th Congress support the rights and freedoms of individuals who are lesbian, gay, bisexual, and transgender (in this preamble referred to as ''LGBT people'');

Whereas, on June 26, 2003, the Supreme Court of the United States ruled in Lawrence v. Texas, 539 U.S. 558, that States could no longer criminalize the private conduct in which same-sex couples engage;

Whereas, on June 26, 2013, the Supreme Court of the United States ruled in United States v. Windsor, 133 S. Ct. 2675, that section 3 of the Defense of Marriage Act (Public Law 104–199; 110 Stat. 2419) was unconstitutional and the Federal Government could no longer restrict married same-sex couples from receiving Federal benefits and protections;

Whereas, on June 26, 2015, the Supreme Court of the United States ruled in Obergefell v. Hodges, 135 S. Ct. 2584, that same-sex couples have a constitutional right to marry and States could no longer discriminate against same-sex couples when recognizing or licensing a marriage;

Whereas decisions handed down by the Supreme Court of the United States on June 26 in 2003, 2013, and 2015 ended marriage discrimination and the criminalization of same-sex private intimate conduct under the law;

Whereas LGBT people and their allies have worked together for more than 60 years to make progress toward achieving full equality for all individuals in the United States, regardless of sexual orientation or gender identity;

Whereas LGBT people in the United States continue to face many barriers that cannot be solved through courtroom litigation alone;

Whereas transgender individuals and LGBT people of color are disproportionately and uniquely burdened by such barriers, including violence, discrimination, poverty, and societal isolation;

Whereas LGBT people continue to be targets for violence based on who they are and who they love, as demonstrated most recently by the terrible massacre at the Pulse nightclub in Orlando, Florida on June 12, 2016, in which 49 individuals tragically lost their lives;

Whereas, although victories at the Supreme Court of the United States have affirmed the dignity and equality of millions of same-sex couples, statutory reforms are needed to ensure that LGBT people in the United States are free from discrimination and have equal access to the American dream; and

Whereas June 26, 2016, would be an appropriate date to designate as ''LGBT Equality Day'': Now, therefore, be it

Resolved, That the Senate—

(1) supports equal rights and protections for all individuals, regardless of actual or perceived sexual orientation or gender identity;

(2) supports the designation of June 26, 2016, as ''LGBT Equality Day'';

(3) encourages the celebration of ''LGBT Equality Day'' to—

(A) commemorate the significance of decisions handed down by the Supreme Court of the United States on June 26 in 2003, 2013, and 2015; and

(B) continue educating all people about the forms of discrimination, harassment, and intolerance that lesbian, gay, bisexual, and transgender individuals continue to face; and

(4) acknowledges the need for further legislation to ensure that individuals in the United States are free from all forms of discrimination on the basis of actual or perceived sexual orientation or gender identity, including in employment, housing, public accommodations, education, Federal funding, credit, and jury service.

SENATE RESOLUTION 512—DESIGNATING THE MONTH OF JUNE 2016 AS ''NATIONAL POST-TRAUMATIC STRESS AWARENESS MONTH'' AND JUNE 27, 2016, AS ''NATIONAL POST-TRAUMATIC STRESS AWARENESS DAY''

Ms. HEITKAMP (for herself, Mr. HELLER, Mr. SULLIVAN, Mr. BLUMENTHAL, Mr. TILLIS, Mrs. MURRAY, Mr. GRASSLEY, Mrs. FEINSTEIN, Ms. COLLINS, Mr. WARNER, Mr. INHOFE, Ms. MIKULSKI, Mr. BLUNT, Mr. DURBIN, Mr. HOEVEN, Mr. CASEY, Mr. DAINES, Ms. BALDWIN, Ms. MURKOWSKI, Mr. TESTER, Mr. MORAN, Mr. MARKEY, Mr. CRAPO, Mr. COONS, Mr. ROBERTS, Mr. PETERS, Mr. KING, Ms. HIRONO, Ms. STABENOW, Mr. BROWN, and Mr. DONNELLY) submitted the following resolution; which was considered and agreed to:

S. RES. 512

Whereas the brave men and women of the Armed Forces of the United States (in this preamble referred to as the ''Armed Forces''), who proudly serve the United States, risk their lives to protect the freedom of the people of the United States and deserve the investment of every possible resource to ensure their lasting physical, mental, and emotional well-being;

Whereas more than 2,000,000 members of the Armed Forces have deployed overseas since the events of September 11, 2001, and have served in places such as Afghanistan and Iraq;

Whereas the Armed Forces have sustained a historically high operational tempo since September 11, 2001, with many members of the Armed Forces deploying overseas multiple times, placing those members at high risk of experiencing combat stress;

Whereas, when left untreated, exposure to traumatic combat stress can lead to post-traumatic stress disorder (in this preamble referred to as ''PTSD''), sometimes referred to as post-traumatic stress injury;

Whereas men and women of the Armed Forces and veterans who served before September 11, 2001, remain at risk for PTSD and other mental health disorders;

Whereas the Secretary of Veterans Affairs reports that, in fiscal year 2015, more than 569,000 of the nearly 6,000,000 veterans who sought care at a medical facility of the Department of Veterans Affairs received treatment for PTSD;

Whereas many combat stress injuries remain unreported, undiagnosed, and untreated due to a lack of awareness about post-traumatic stress and the persistent stigma associated with mental health conditions;

Whereas exposure to military trauma can lead to PTSD;

Whereas PTSD significantly increases the risk of anxiety, depression, suicide, homelessness, and drug- and alcohol-related disorders and deaths, especially if left untreated;

Whereas public perceptions of PTSD or other mental health disorders create unique challenges for veterans seeking employment;

Whereas the Department of Defense and the Department of Veterans Affairs, as well as the larger medical community, both private and public, have made significant advances in the identification, prevention, diagnosis, and treatment of PTSD and the symptoms of PTSD, but many challenges remain;

Whereas increased understanding of post-traumatic stress can help eliminate the stigma attached to this mental health issue;

Whereas additional efforts are needed to find further ways to eliminate the stigma associated with post-traumatic stress, including—

(1) an examination of how post-traumatic stress is discussed in the United States; and

(2) a recognition that post-traumatic stress is a common injury that is treatable and repairable;

Whereas post-traumatic stress can result from any number of stressors other than combat, including rape, sexual assault, battery, torture, confinement, child abuse, car accidents, train wrecks, plane crashes, bombings, or natural disasters, and affects approximately 8,000,000 adults in the United States annually; and

Whereas the designation of a National Post-Traumatic Stress Awareness Month and a National Post-Traumatic Stress Awareness Day will raise public awareness about issues related to post-traumatic stress, reduce the associated stigma, and help ensure that those individuals suffering from the invisible wounds of war receive proper treatment: Now, therefore, be it

Resolved, That the Senate—

(1) designates June 2016 as ''National Post-Traumatic Stress Awareness Month'' and June 27, 2016, as ''National Post-Traumatic Stress Awareness Day'';

(2) supports the efforts of the Secretary of Veterans Affairs and the Secretary of Defense, as well as the entire medical community, to educate members of the Armed Forces of the United States, veterans, the families of members of the Armed Forces of the United States and veterans, and the public about the causes, symptoms, and treatment of post-traumatic stress;

(3) welcomes the efforts of the National Center for PTSD of the Department of Veterans Affairs and local Vet Centers (as defined in section 1712A(h) of title 38, United States Code) to provide assistance to veterans who are suffering from the effects of this injury;

(4) encourages commanders of the Armed Forces of the United States to support appropriate treatment of men and women of the Armed Forces of the United States who are diagnosed with post-traumatic stress disorder; and

(5) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to the Secretary of Veterans Affairs and the Secretary of Defense.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4857. Mr. GRASSLEY (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table.

SA 4858. Ms. COLLINS (for herself, Ms. HEITKAMP, Ms. AYOTTE, Mr. HEINRICH, Mr. FLAKE, Mr. KAINE, Mr. GRAHAM, Mr. KING, Mr. NELSON, Mr. MANCHIN, Ms. BALDWIN, Mr. KIRK, and Mr. WARNER) submitted an amendment intended to be proposed by her to the bill H.R. 2578, supra.

SA 4859. Mr. MCCONNELL (for Mr. JOHNSON (for himself, Mr. LANKFORD, Mr. CORNYN, and Mr. RUBIO)) proposed an amendment to amendment SA 4858 submitted by Ms. COLLINS (for herself, Ms. HEITKAMP, Ms. AYOTTE, Mr. HEINRICH, Mr. FLAKE, Mr. KAINE, Mr. GRAHAM, Mr. KING, Mr. NELSON, Mr. MANCHIN, Ms. BALDWIN, Mr. KIRK, and Mr. WARNER) to the bill H.R. 2578, supra.

SA 4860. Mr. MCCONNELL proposed an amendment to amendment SA 4859 proposed by Mr. MCCONNELL (for Mr. JOHNSON (for himself, Mr. LANKFORD, Mr. CORNYN, and Mr. RUBIO)) to the amendment SA 4858 submitted by Ms. COLLINS (for herself, Ms. HEITKAMP, Ms. AYOTTE, Mr. HEINRICH, Mr. FLAKE, Mr. KAINE, Mr. GRAHAM, Mr. KING, Mr. NELSON, Mr . MANCHIN, Ms. BALDWIN, Mr. KIRK, and Mr. WARNER) to the bill H.R. 2578, supra.

SA 4861. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill H.R. 5293, making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes; which was ordered to lie on the table.

SA 4862. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table.

SA 4863. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4864. Mr. MCCONNELL (for Mr. NELSON) proposed an amendment to the concurrent resolution S. Con. Res. 39, honoring the members of the United States Air Force who were casualties of the June 25, 1996, terrorist bombing of the United States Sector Khobar Towers military housing complex on Dhahran Air Base.

TEXT OF AMENDMENTS

SA 4857. Mr. GRASSLEY (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, 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 appropriate place in title V, insert the following:

SEC. 5____. ADDITIONAL PROTECTIONS FOR OUR VETERANS.

(a) IN GENERAL.—Chapter 55 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes

''(a) IN GENERAL.—Beginning on the date of enactment of this section, in any case arising out of the administration by the Secretary of laws and benefits under this title, the Secretary shall not determine a person to be adjudicated as a mental defective under subsection (d)(4) or (g)(4) of section 922 of title 18 unless the Federal Government has met the burden of proving, by clear and convincing evidence, that the person is a danger to self or others. The process to determine whether such person is a danger to self or others, as set forth in this section, shall be separate from the Department's process to determine a person mentally incompetent for the purposes of assigning a fiduciary. A person that is subject to the process that may result in a finding that he or she is a danger to self or others shall be provided formal notice and a process by which to challenge the Federal Government's position, and shall be provided written notice of the effect of the ruling with respect to their ability to own and possess firearms and the protections granted under this section.

''(b) MEDICAL REVIEW.—

''(1) IN GENERAL.—The process by which a person may be determined to be a danger to self or others shall be initiated, with the exception of those persons described in subsection (i)(1), only after 2 health care professionals of the Department conclude, based on clear and convincing medical evidence, that the person is a danger to self or others.

''(2) LIMITATION.—If a conclusion by 2 health care professionals of the Department that a person is a danger to self or others is not made in accordance with paragraph (1) , the Federal Government may not begin the process to find that such person is a danger to self or others.

''(c) PROCESS.—If a conclusion that a person is a danger to self or others is made under subsection (b)(1), not later than 30 days after that date on which such conclusion is made, the Department shall provide notice to the person, in writing, of the medical finding, the rights and protections afforded by this section, and the effect of a future administrative or judicial ruling with respect to the ability of the person to own and possess firearms.

''(d) ADMINISTRATIVE REVIEW.—(1) Except as provided in subsection (i), not later than 60 days after the date on which a person described in subsection (a) receives notice of the pendency of the Federal Government action to determine whether or not such person is a danger to self or others, such person may request a review by the board designed or established under paragraphs (2) and (3) or a court of competent jurisdiction to determine whether such person is a danger to self or others. If such person does not specify a forum, the Federal Government shall choose the forum. In such assessment, the board may consider the person's honorable discharge or decoration and other mitigating factors.

''(2) Not later than 120 days after the date of enactment of this section, the Secretary shall designate or establish a board that shall, upon request of a person under subsection (a), make a determination after both parties have presented their case as to whether a person is a danger to self or others. If the board determines that the Federal Government failed to prove that the person is a danger to self or others, the person shall not be required to present his or her case.

''(3) The board shall consist of 3 former or current Federal judicial officers for a term of two years each and a majority decision shall control.

''(4) A determination by the board designated or established under paragraphs (2) or by a court of competent jurisdiction that a person does not meet the standard under subsection (f) shall preclude the Secretary from reporting such person to the National

Instant Criminal Background Check System for the purpose of prohibiting the acquisition, receipt, transfer, shipment, transportation, or possession of firearms or ammunition.

''(5) Not later than 90 days after the date on which the person or Federal Government chooses the administrative review process, the board shall make a determination. If the board does not make a determination within the required 90-day period, the Secretary shall not report the person to the National Instant Criminal Background Check System for the purpose of prohibiting the acquisition, receipt, transfer, shipment, transportation, or possession of firearms or ammunition.

''(e) JUDICIAL REVIEW.—Not later than 45 days after the date on which an assessment of a person under subsection (d) is made, such person or the Federal Government may file a petition for judicial review of the board's determination with a court of competent jurisdiction. Such court shall review the case de novo.

''(f) BURDEN OF PROOF.—The burden of proof for all actions arising under this section shall be on the Federal Government to prove, based on clear and convincing evidence, that a person is a danger to self or others and such burden shall be met before the person may be adjudicated as a mental defective under subsection (d)(4) or (g)(4) of section 922 of title 18.

''(g) EMERGENCY ORDER.—(1) In the case of a person who the Secretary believes may be an imminent danger to self or others, the Secretary may file an emergency petition in a court of competent jurisdiction to seek a temporary order prohibiting the acquisition, receipt, transfer, shipment, transportation, or possession of firearms or ammunition, if the Secretary has already transmitted the notification letter described in subsection (c). The court in which such action is filed may, if the court finds probable cause exists that a person is an imminent danger to self or others, grant such petition. The Secretary shall submit to the court the information and documents, in unredacted form, that support the Secretary's position.

''(2) Except as provided in paragraph (3), an emergency order issued under this subsection shall expire on the earlier of—

''(A) the date that is 90 days after the date on which the order is issued; or

''(B) the date on which a determination is made by the board established under subsection (d)(2) or a court of competent jurisdiction as to whether the person is a danger to self or others.

''(3) The court may, in its discretion, extend an order issued under this subsection for a reasonable amount of time.

''(h) REGULATORY CHANGES.—Consistent with the requirements imposed under this section, the Secretary shall review all relevant regulations and revise such regulations as necessary.

''(i) PERSONS WITH EXISTING RECORDS.—(1) For persons with existing records in the National Instant Criminal Background Check System database supplied by the Secretary as of the date of enactment of this section, not later than 90 days after such date of enactment, the Secretary shall provide written notice of the opportunity for administrative review or judicial review consistent with this section.

''(2) Each person described in paragraph (1) may, at any time, request administrative review under subsection (d) or judicial review by a court of competent jurisdiction to challenge the placement of the person in the National Instant Criminal Background Check System database consistent with the procedures set forth in this section. If such person does not specify a forum, the Federal Government shall choose the forum. In such assessment, the board may consider the person's honorable discharge or decoration and other mitigating factors.

''(3) In an action under this subsection, the failure of the Federal Government to prove, based on clear and convincing evidence, that a person is a danger to self or others consistent with the procedures in this section shall result in the removal of such person's information from the National Instant Criminal Background Check System database.

''(j) NEW AND MATERIAL EVIDENCE.—A person or the Federal government may reopen a finally adjudicated case by submitting new and material evidence consistent with this section.

''(k) COURT OF COMPETENT JURISDICTION DEFINED.—In this section, the term 'court of competent jurisdiction' means the district court of the United States for the district in which the person who is subject to the assessment or determination lives.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of such title is amended by adding at the end the following new item:

''5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes.''.

(c) APPLICABILITY.—Section 5511 of title 38, United States Code (as added by this section), shall apply, subject to the aforementioned exceptions, with respect to all persons who are determined by the Secretary of Veterans Affairs to be mentally incompetent as of the date of enactment. After the date of enactment of this Act, and separate from a finding of mental incompetency, in any case arising out of the administration by the Secretary of laws and benefits under this title, for persons determined to be a danger to self or others, such determination shall be made consistent with section 5511 of title 38, United States Code (as added by this Act).

(d) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section shall be construed to require that the Secretary of Veterans Affairs first determine that a person is mentally incompetent for purposes of assigning a fiduciary before the Secretary may initiate the process to determine whether a person is a danger to self or others, consistent with section 5511 of title 38, United States Code, as added by this section.

SA 4858. Ms. COLLINS (for herself, Ms. HEITKAMP, Ms. AYOTTE, Mr. HEINRICH, Mr. FLAKE, Mr. KAINE, Mr. GRAHAM, Mr. KING, Mr. NELSON, Mr. MANCHIN, Ms. BALDWIN, Mr. KIRK, and Mr. WARNER) submitted an amendment intended to be proposed by her to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. _____. DISCRETIONARY AUTHORITY TO DENY TRANSFERS OF FIREARMS, EXPLOSIVES, AND FIREARMS AND EXPLOSIVES LICENSES AND PERMITS TO TERRORISTS.

(a) AUTHORITY.—

(1) IN GENERAL.—On and after the date of enactment of this Act, in accordance with the procedures under this section, and without regard to section 842, 843, section 922(g) or (n), or section 923 of title 18, United States Code, the Attorney General may deny the transfer of a firearm, not later than 3 business days after a licensee under chapter 44 of title 18, United States Code, contacts the national instant criminal background check system established under section 103 of Public Law 103–159 (18 U.S.C. 922 note), deny the transfer of an explosive, or deny the issuance of a Federal firearms or explosives license or permit, if either of the following are met:

(A) NO FLY LIST.—The Attorney General determines that the transferee or applicant—

(i) based on the totality of the circumstances, represents a threat to public safety based on a reasonable suspicion that the transferee or applicant is engaged, or has been engaged, in conduct constituting, in preparation of, in aid of, or related to terrorism, or providing material support or resources therefor; and

(ii) based on credible information, poses—

(I) a threat of committing an act of international terrorism or domestic terrorism with respect to an aircraft (including a threat of piracy, or a threat to airline, passenger, or civil aviation security);

(II) a threat of committing an act of domestic terrorism with respect to the homeland;

(III) a threat of committing an act of international terrorism against any United States Government facility abroad and associated or supporting personnel, including United States embassies, consulates and missions, military installations, United States ships, United States aircraft, or other auxiliary craft owned or leased by the United States Government; or

(IV) a threat of engaging in or conducting a violent act of terrorism and is operationally capable of doing so.

(B) SELECTEE LIST.—The Attorney General determines that the transferee or applicant—

(i) based on the totality of the circumstances, represents a threat to public safety based on a reasonable suspicion that the transferee or applicant is engaged, or has been engaged, in conduct constituting, in preparation of, in aid of, or related to terrorism, or providing material support or resources therefor; and

(ii) based on credible information, is—

(I) a member of a terrorist organization (including a foreign terrorist organization designated pursuant to a statute or Executive Order); and

(II) associated with terrorist activity, unless information exists that demonstrates that the application of secondary screening to such individual is not necessary.

(2) NICS.—Solely for purposes of sections 922(t) (1), (2), (5), and (6) of title 18, United States Code, and section 103(g) of Public Law 103–159 (18 U.S.C. 922 note), a denial by the Attorney General under paragraph (1) shall be treated as equivalent to a determination that receipt of a firearm would violate subsection (g) or (n) of section 922 of title 18, United States Code. During the 3-business-day period beginning when a licensee under chapter 44 of title 18, United States Code, contacts the national instant criminal background check system established under section 103 of Public Law 103–159 (18 U.S.C. 922 note), and notwithstanding section 922(t)(2) of title 18, United States Code, the Attorney General may delay assigning a unique identification number to a transfer of a firearm in order to determine whether the transferee or applicant meets the requirements under paragraph (1).

(b) NOTIFICATION OF PROSPECTIVE FIREARMS AND EXPLOSIVES TRANSFERS TO KNOWN OR SUSPECTED TERRORIST.—The Attorney General and Federal, State, and local law enforcement shall be immediately notified, as appropriate, of any request to transfer a firearm or explosive to a person who is, or with in the previous 5 years was, identified in the Terrorist Screening Database maintained by

the Terrorist Screening Center of the Federal Bureau of Investigation.

(c) REVIEW OF DENIAL.—

(1) REMEDIAL PROCEDURES AND PETITION FOR REVIEW.—

(A) IN GENERAL.—An individual who is a citizen or lawful permanent resident of the United States who seeks to challenge a denial by the Attorney General under subsection (a)(1) may—

(i) pursue the remedial procedures under section 103(g) of Public Law 103–159 (18 U.S.C. 922 note); or

(ii) file a petition for review and any claims related to that petition in the United States District Court for the District of Columbia or in the district court of the United States for the judicial district in which the individual resides.

(B) EXHAUSTION NOT REQUIRED.—A petitioner is not required to exhaust the remedial procedures authorized under clause (i) of subparagraph (A) before filing a petition for review under clause (ii) of subparagraph (A).

(C) PROCEDURES.—Notwithstanding any other provision of law, the Attorney General may promulgate regulations governing proceedings under subparagraph (A)(i) to prevent the unauthorized disclosure of information that reasonably could be expected to result in damage to national security or ongoing law enforcement operations.

(2) DEADLINES FOR FILING.—

(A) IN GENERAL.—Except as provided in subparagraph (B), a petition for review under paragraph (1)(A)(ii), and any claims related to that petition, shall be filed not later than the earlier of—

(i) 1 year after the petitioner receives actual notice of the reason for the denial by the Attorney General; or

(ii) 5 years after the petitioner receives notice of the denial by the Attorney General.

(B) EXCEPTION.—The district court in which a petition for review is to be filed under paragraph (1)(A)(ii) may allow the petition to be filed after the deadline specified in subparagraph (A) only if there is good cause for not filing by that deadline.

(3) AUTHORITY OF DISTRICT COURTS.—The district court in which a petition for review is filed under paragraph (1)(A)(ii)—

(A) shall have—

(i) jurisdiction to decide all relevant questions of law and fact; and

(ii) exclusive jurisdiction to affirm, amend, modify, or set aside any part of the denial of the Attorney General that is the subject of the petition for review; and

(B) may order the Attorney General to conduct further proceedings.

(4) EXCLUSIVE JURISDICTION.—

(A) IN GENERAL.—No district court of the United States or court of appeals of the United States shall have jurisdiction to consider the lawfulness or constitutionality of this section except pursuant to a petition for review under subsection (c)(1)(A)(ii).

(B) NONCITIZENS.—No district court of the United States or court of appeals of the United States shall have jurisdiction to hear any claim by an individual who is not a citizen or lawful permanent resident of the United States related to or arising out a denial by the Attorney General under subsection (a)(1).

(d) REQUIREMENT FOR AN ADMINISTRATIVE RECORD AND PROCEDURES FOR JUDICIAL REVIEW.—Notwithstanding any other provision of law, the following procedures shall apply with respect to a petition for review filed in a district court under subsection (c)(1)(A)(ii):

(1) The United States shall file with the court an administrative record, which shall consist of—

(A) the information the Attorney General relied upon in denying the transfer or application;

(B) a summary of known material mitigation information;

(C) any information the petitioner has submitted pursuant to any administrative process; and

(D) any information determined relevant by the United States.

(2)(A) The petitioner may file with the court any information determined relevant by the petitioner.

(B) With leave of the court, the United States may supplement the administrative record with additional information.

(3) All information in the administrative record that is not classified and is not otherwise privileged or subject to statutory protections shall be provided to the petitioner.

(4) No discovery shall be permitted, unless the court shall determine extraordinary circumstances requires discovery in the interests of justice.

(5) Sensitive security information contained in the administrative record may only be provided to petitioners counsel, pursuant to a protective order.

(6)(A) The administrative record may include classified information, which the United States shall submit to the court in camera and ex parte. The court shall review all classified information in camera and ex parte unless it enters an order under paragraph (C).

(B) The United States shall notify the petitioner if the administrative record filed under paragraph (1) contains classified information.

(C) The court is authorized to determine the extent to which cleared counsel shall be permitted to access classified information necessary to protect the due process rights of a petitioner and enter an appropriate order.

(D)(i) If the court enters an order under subparagraph (C) providing for the disclosure of information and the United States files with the court an affidavit of the Attorney General objecting to the disclosure, the court shall order that the information not be disclosed.

(ii) If information is not disclosed under clause (i), the court shall enter such an order as the interests of justice require, which may include an order quashing the denial by the Attorney General under subsection (a)(1).

(iii) An order under subparagraph (C) or clause (ii) of this subparagraph shall be subject to review by a court of appeals pursuant to section 1292 of title 28, United States Code.

(iv) An order under clause (ii) shall be administratively stayed for 7 days.

(v) The functions and duties of the Attorney General under this subparagraph—

(I) may be exercised by the Deputy Attorney General, the Associate Attorney General, or by an Assistant Attorney General designated by the Attorney General for such purpose; and

(II) may not be delegated to any other official.

(E) Any information disclosed under subparagraph (C) shall be subject to an appropriate protective order.

(7)(A) The administrative record may include information obtained or derived from an order issued under the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq.), without regard to subsections (c), (e), (f), (g), and (h) of section 106 (50 U.S.C. 1806), subsections (d), (f), (g), (h), and (i) of section 305 (50 U.S.C. 1825), subsections (c), (e), (f), (g), and (h) of section 405 (50 U.S.C. 1845), and section 706 (50 U.S.C. 1881e) of that Act. If the United States intends to use such information against an aggrieved person (as defined in section 101, 301, or 401 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801, 1821, and 1841)), it shall provide in camera and ex parte notice to the court concerning such use.

(B) If the court receives a notice under subparagraph (A), the court shall review, in camera and ex parte, the order described in that subparagraph and any other materials that may be submitted by the United States.

(C) If the court determines that the order described in subparagraph (A) was not lawfully authorized, or the information was not obtained in conformity with the order, it shall exclude such information from consideration as part of the administrative record.

(8) Any classified information, sensitive security information, law enforcement sensitive information, or information that is otherwise privileged or subject to statutory protections, that is part of the administrative record, or cited by the court or the parties, shall be treated by the court and the parties consistent with the provisions of this subsection, and shall be sealed and preserved in the records of the court to be made available in the event of further proceedings. In no event shall such information be released as part of the public record.

(9) The court shall award reasonable attorney fees to a petitioner who is a prevailing party in an action under this section.

(10) After the expiration of the time to seek further review, or the conclusion of further proceedings, the court shall return the administrative record, including any and all copies, to the United States. All privileged information or other information in the possession of counsel for the petitioner that was provided by the United States under a protective order shall be returned to the United States, or the counsel for the petitioner shall certify its destruction, including any and all copies.

(e) SCOPE OF REVIEW.—The district court shall quash any denial by the Attorney General under subsection (a)(1), unless the United States demonstrates, based on the administrative record, on a de novo review of fact and law—

(1) that the transferee or applicant—

(A) based on the totality of the circumstances, represents a threat to public safety based on a reasonable suspicion that the transferee or applicant is engaged, or has been engaged, in conduct constituting, in preparation of, in aid of, or related to terrorism, or providing material support or resources therefor; and

(B) based on credible information, poses—

(i) a threat of committing an act of international terrorism or domestic terrorism with respect to an aircraft (including a threat of piracy, or a threat to airline, passenger, or civil aviation security);

(ii) a threat of committing an act of domestic terrorism with respect to the homeland;

(iii) a threat of committing an act of international terrorism against any United States Government facility abroad and associated or supporting personnel, including United States embassies, consulates and missions, military installations, United States ships, United States aircraft, or other auxiliary craft owned or leased by the United States Government; or

(iv) a threat of engaging in or conducting a violent act of terrorism and is operationally capable of doing so; or

(2) that the transferee or applicant—

(A) based on the totality of the circumstances, represents a threat to public safety based on a reasonable suspicion that the transferee or applicant is engaged, or has been engaged, in conduct constituting, in preparation of, in aid of, or related to terrorism, or providing material support or resources therefor; and

(B) based on credible information—

(i) is a member of a terrorist organization (including a foreign terrorist organization designated pursuant to a statute or Executive Order; and

(ii) is associated with terrorist activity, unless information exists that demonstrates that the application of secondary screening to such individual is not necessary.

(f) EFFECT OF QUASHING.—If the district court quashes a denial by the Attorney General under subsection (e), notwithstanding any other provision of law, the Attorney General shall—

(1) for a denial of the transfer of a firearm, cause a unique identifier to issue pursuant to section 922(t)(2) of title 18, United States Code, not later than 3 days after the issuance of the order under subsection (e); and

(2) for a denial of a license or permit, expeditiously issue a license or permit under chapter 40 or 44 of title 18, United States Code, as applicable.

(g) REVIEW OF DECISION OF DISTRICT COURT.—A final decision of a district court under this section shall be subject to review by a court of appeals in accordance with section 1291 of title 28, United States Code.

(h) EXCLUSIVE REMEDIES.—The remedial procedures and a petition for review authorized under subsection (c)(1)(A) shall be the sole and exclusive remedies for a claim by an individual who challenges a denial under subsection (a)(1).

(i) EXPEDITED CONSIDERATION.—

(1) COURTS.—Not later than 14 days after the date on which a petition is filed challenging a denial under subsection (a)(1), a district court shall determine whether to quash the denial, unless the petitioner consents to a longer period.

(2) OF QUASHING.—If the district court quashes a denial by the Attorney General under subsection (e), a petitioner may submit the order quashing the denial to the Department of Homeland Security for expedited review, as appropriate.

(j) TRANSPARENCY.—Not later than 60 days after the date of enactment of this Act, and quarterly thereafter—

(1) the Attorney General shall submit to the Committee on the Judiciary and the Select Committee on Intelligence of the Senate and the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives a report providing—

(A) the number of individuals denied a firearm or explosives transfer or a license or permit under subsection (a)(1) during the reporting period;

(B) the number of petitions for review filed under subsection (c)(1)(A)(ii); and

(C) the number of instances in which a district court quashed a denial by the Attorney General under subsection (e); and

(2) the Secretary of Homeland Security shall submit to the Committee on Homeland Security and Governmental Affairs, the Select Committee on Intelligence, and the Committee on the Judiciary of the Senate and the Committee on Homeland Security, the Permanent Select Committee on Intelligence, and the Committee on the Judiciary of the House of Representatives a report providing—

(A) the number individuals—

(i) with respect to whom a district court quashed a denial by the Attorney General under subsection (e); and

(ii) who submitted the order quashing the denial to the Department of Homeland Security under subsection (i)(2); and

(B) a description of the actions taken and final determinations made by the Department of Homeland Security with regard to submissions described in subparagraph (A)(ii) respecting the status of individuals on the No Fly List or Selectee List, including the length of time taken to reach a final determination.

(k) DEFINITIONS.—In this section:

(1) CLASSIFIED INFORMATION.—The term ''classified information'' has the meaning given that term in section 1(a) of the Classified Information Procedures Act (18 U.S.C. App.).

(2) DOMESTIC TERRORISM.—The term ''domestic terrorism'' has the meaning given that term in section 2331(5) of title 18, United States Code.

(3) INTERNATIONAL TERRORISM.—The term ''international terrorism'' has the meaning given that term in section 2331(1) of title 18, United States Code.

(4) MILITARY INSTALLATION.—The term ''military installation'' has the meaning given that term in section 2801(c)(4) of title 10, United States Code.

(5) NATIONAL SECURITY.—The term ''national security'' has the meaning given that term in section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(6) SENSITIVE SECURITY INFORMATION.—The term ''sensitive security information'' has the meaning given that term by sections 114(r) and 40119 of title 49, United States Code, and the regulations and orders issued pursuant to those sections.

(7) TERRORIST ACTIVITY.—The term ''terrorist activity'' has the meaning given that term in section 212(a)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)).

(l) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to—

(1) except as set forth in this section, authorize the Attorney General to modify the length of period before a firearm may be transferred under section 922(t) of title 18, United States Code; or

(2) apply to any claim other than a claim challenging the denial of a firearm, explosive, or issuance of a firearm or explosives permit or license by the Attorney General.

SA 4859. Mr. MCCONNELL (for Mr. JOHNSON (for himself, Mr. LANKFORD, Mr. CORNYN, and Mr. RUBIO)) proposed an amendment to amendment SA 4858 submitted by Ms. COLLINS (for herself, Ms. HEITKAMP, Ms. AYOTTE, Mr. HEINRICH, Mr. FLAKE, Mr. KAINE, Mr. GRAHAM, Mr. KING, Mr. NELSON, Mr. MANCHIN, Ms. BALDWIN, Mr. KIRK, and Mr. WARNER) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

In lieu of the matter to be inserted, insert the following:

SEC. _____. DISCRETIONARY AUTHORITY TO DELAY OR DENY TRANSFERS OF FIREARMS AND EXPLOSIVES AND ISSUANCE OF FIREARMS AND EXPLOSIVES LICENSES AND PERMITS TO TERRORISTS.

(a) AUTHORITY.—

(1) IN GENERAL.—On and after the date of enactment of this Act, in accordance with the procedures under this section, and without regard to section 842, 843, section 922(g) or (n), or section 923 of title 18, United States Code, the Attorney General may delay or deny the transfer of a firearm, not later than 3 business days after a licensee under chapter 44 of title 18, United States Code, contacts the national instant criminal background check system established under section 103 of Public Law 103–159 (18 U.S.C. 922 note), delay or deny the transfer of an explosive, or delay or deny the issuance of a Federal firearms or explosives license or permit, if—

(A) the transferee or applicant is appropriately included on the No Fly or Selectee List; and

(B) the Attorney General determines—

(i) there is a reasonable basis to believe, based on specific and articulable information and credible evidence, that the transferee or applicant is engaged, or has been engaged, in conduct constituting, in preparation of, in aid of, or related to terrorism, or providing material support or resources therefor; or

(ii) the transferee or applicant poses a credible threat of—

(I) committing an act of international terrorism or domestic terrorism with respect to an aircraft (including a threat of piracy, or a threat to airline, passenger, or civil aviation security);

(II) committing an act of domestic terrorism with respect to the homeland;

(III) committing an act of international terrorism against any United States Government facility abroad and associated or supporting personnel, including United States embassies, consulates and missions, military installations, United States ships, United States aircraft, or other auxiliary craft owned or leased by the United States Government; or

(IV) engaging in or conducting a violent act of terrorism and is operationally capable of doing so.

(2) NICS.—Solely for purposes of sections 922(t) (1), (2), (5), and (6) of title 18, United States Code, and section 103(g) of Public Law 103–159 (18 U.S.C. 922 note), a denial by the Attorney General under paragraph (1) shall be treated as equivalent to a determination that receipt of a firearm would violate subsection (g) or (n) of section 922 of title 18, United States Code. During the 3-business-day period beginning when a licensee under chapter 44 of title 18, United States Code, contacts the national instant criminal background check system established under section 103 of Public Law 103–159 (18 U.S.C. 922 note), and notwithstanding section 922(t)(2) of title 18, United States Code, the Attorney General may delay assigning a unique identification number to a transfer of a firearm in order to determine whether the transferee or applicant meets the requirements under paragraph (1).

(3) DELAY OR DENIAL.—A delay or denial under paragraph (1) shall occur according to the process set forth in subsection (c).

(b) NOTIFICATION OF PROSPECTIVE FIREARM TRANSFERS TO KNOWN OR SUSPECTED TERRORIST.—The Attorney General and Federal, State, and local law enforcement shall be immediately notified, as appropriate, of any request to transfer a firearm or explosive to a person who is, or with in the previous 5 years was, identified in the Terrorist Screening Database maintained by the Terrorist Screening Center of the Federal Bureau of Investigation, if the Director of the Federal Bureau of Investigation annually reviews and certifies the identities of the known or suspected terrorists and the appropriateness of such designation.

(c) PROCESS FOR DELAY OR DENYING A TRANSFER OF A FIREARM OR EXPLOSIVE OR ISSUANCE OF LICENSE OR PERMIT.—

(1) EMERGENCY PETITION.—

(A) IN GENERAL.—Under the authority under subsection (a), except as provided in paragraph (9) the Attorney General may delay the transfer of a firearm or explosive, or the issuance of a license or permit, and file an emergency petition in a court of competent jurisdiction within 3 business days, to deny such transfer or issuance. The transfer of such firearm or explosive shall be delayed during the pendency of a petition under this subsection.

(B) EXPEDITED REVIEW.—A petition under subparagraph (A) and subsequent hearing

shall receive the highest possible priority on the docket of the court and be subject to the Classified Information Procedures Act (18 U.S.C. App.). A hearing shall occur not later than 7 business days after the petition is filed (including any extension granted under paragraph (5)), and a decision by the court shall be issued not later than 3 business days after the hearing.

(2) HEARING.—

(A) IN GENERAL.—The prospective transferee or applicant shall receive notice of the hearing and an opportunity to participate with the assistance of counsel.

(B) STANDARD.—The court shall authorize the Attorney General to deny a transfer or issuance if the court finds—

(i) that the prospective transferee or applicant is appropriately included on the No Fly or Selectee List; and

(ii) that—

(I) there is a reasonable basis to believe, based on specific and articulable information and credible evidence, that the prospective transferee or applicant is engaged, or has been engaged, in conduct constituting, in preparation of, in aid of, or related to terrorism, or providing material support or resources for terrorism; or

(II) the prospective transferee or applicant poses a credible threat of—

(aa) committing an act of international terrorism or domestic terrorism with respect to an aircraft (including a threat of piracy, or a threat to airline, passenger, or civil aviation security);

(bb) committing an act of domestic terrorism with respect to the homeland;

(cc) committing an act of international terrorism against any United States Government facility abroad and associated or supporting personnel, including United States embassies, consulates and missions, military installations, United States ships, United States aircraft, or other auxiliary craft owned or leased by the United States Government; or

(dd) engaging in or conducting a violent act of terrorism and is operationally capable of doing so.

(3) DENIAL OF PETITION.—If a petition under paragraph (1)(A) is denied, the Attorney General shall—

(A) for a transfer of a firearm or explosive, cause a unique identifier to issue pursuant to section 922(t)(2) of title 18, United States Code, not later than 3 days after the denial; and

(B) for the issuance of a license or permit, expeditiously issue the license or permit under chapter 40 or 44 of title 18, United States Code, as applicable.

(4) COURT COSTS AND ATTORNEY'S FEES.—If a petition under paragraph (1)(A) is denied, the government shall be responsible for all reasonable costs and attorney's fees.

(5) REQUEST FOR EXTENSION.—

(A) IN GENERAL.—The Attorney General may request from the court an extension for filing a petition under paragraph (1)(A) of not more than 10 additional business days.

(B) GRANT OF EXTENSION.—A court shall grant an extension if the Attorney General makes a preliminary showing to the court—

(i) that the prospective transferee or applicant is appropriately included on the No Fly or Selectee List; and

(ii) that—

(I) there is reasonable articulable suspicion and credible evidence that the prospective transferee or applicant is engaged, or has been engaged, in conduct constituting, in preparation of, in aid of, or related to terrorism, or providing material support or resources for terrorism; or

(II) the prospective transferee or applicant poses a credible threat of—

(aa) committing an act of international terrorism or domestic terrorism with respect to an aircraft (including a threat of piracy, or a threat to airline, passenger, or civil aviation security);

(bb) committing an act of domestic terrorism with respect to the homeland;

(cc) committing an act of international terrorism against any United States Government facility abroad and associated or supporting personnel, including United States embassies, consulates and missions, military installations, United States ships, United States aircraft, or other auxiliary craft owned or leased by the United States Government; or

(dd) engaging in or conducting a violent act of terrorism and is operationally capable of doing so.

(C) EX PARTE PROCEEDING.—A preliminary showing under subparagraph (B) may occur in an ex parte proceeding.

(6) OPPORTUNITY TO APPEAL.—If the court rules in favor of a denial of a transfer or issuance, the prospective transferee or applicant shall be provided the opportunity to file a petition for review and any claims related to that petition in the United States Court of Appeals for the District of Columbia Circuit or in the court of appeals of the United States for the judicial circuit in which the individual resides.

(7) DETENTION OR ARREST.—The Attorney General may detain or arrest a prospective transferee or applicant for whom a petition under paragraph (1)(A) has been filed if probable cause exists to believe that the prospective transferee or applicant is engaged, or has been engaged, in conduct constituting, in preparation of, in aid of, or related to terrorism, or providing material support or resources for terrorism.

(8) AUTHORITY OF COURTS OF APPEALS.—The court of appeals in which a petition for review is filed under paragraph (1)(A)—

(A) shall have—

(i) jurisdiction to decide all relevant questions of law and fact; and

(ii) exclusive jurisdiction to authorize, modify, set aside, or deny any part of a denial requested by the Attorney General in a petition under paragraph (1)(A); and

(B) may order the Attorney General to conduct further proceedings.

(9) NONCITIZENS.—For an individual who is not a citizen or lawful permanent resident of the United States—

(A) the Attorney General may delay or deny a transfer or issuance under subsection (a)(1) without regard to the procedures under paragraphs (1) through (9); and

(B) no district court of the United States or court of appeals of the United States shall have jurisdiction to hear any claim by such an individual related to or arising out such a denial by the Attorney General.

(d) REQUIREMENT FOR AN ADMINISTRATIVE RECORD AND PROCEDURES FOR JUDICIAL REVIEW.—Notwithstanding any other provision of law, the following procedures shall apply with respect to a petition filed in a court of appeals under subsection (c):

(1) The United States shall file with the court an administrative record, which shall consist of—

(A) the information the Attorney General relied upon in delaying the transfer or application;

(B) any information the prospective transferee or applicant has submitted pursuant to any administrative process;

(C) any information determined relevant by the United States; and

(D) any information that is exculpatory.

(2)(A) The prospective transferee or applicant may file with the court any information determined relevant by the prospective transferee or applicant.

(B) With leave of the court, the United States may supplement the administrative record with additional information.

(3) All information in the administrative record that is not classified and is not otherwise privileged or subject to statutory protections shall be provided to the prospective transferee or applicant.

(4) No discovery shall be permitted, unless the court shall determine extraordinary circumstances requires discovery in the interests of justice.

(5) Sensitive security information contained in the administrative record may only be provided pursuant to a protective order.

(6)(A) The administrative record may include classified information, which the United States shall submit to the court in camera and ex parte.

(B) The United States shall notify the prospective transferee or applicant if the administrative record filed under paragraph (1) contains classified information.

(C) The court may enter an order, after notice and a hearing, allowing disclosure to the prospective transferee or applicant, counsel for the prospective transferee or applicant, or both, of—

(i) an unclassified summary of some or all classified information in the administrative record;

(ii) a statement admitting relevant facts that some or all classified information in the administrative record would tend to prove;

(iii) some or all classified information, if counsel for the prospective transferee or applicant possess the appropriate security clearance; or

(iv) any combination thereof.

(D)(i) If the court enters an order under subparagraph (C) providing for the disclosure of classified information and the United States files with the court an affidavit of the Attorney General objecting to the disclosure, the court shall order that the classified information not be disclosed.

(ii) If classified information is not disclosed under clause (i), the court shall enter such an order as the interests of justice require, which may include an order denying the petition by the Attorney General under subsection (c)(1)(A).

(iii) An order under subparagraph (C) or clause (ii) of this subparagraph shall be subject to review pursuant to section 1254 of title 28, United States Code.

(iv) An order under clause (ii) shall be administratively stayed for 7 days.

(v) The functions and duties of the Attorney General under this subparagraph—

(I) may be exercised by the Deputy Attorney General, the Associate Attorney General, or by an Assistant Attorney General designated by the Attorney General for such purpose; and

(II) may not be delegated to any other official.

(E) Any information disclosed under subparagraph (C) shall be subject to an appropriate protective order.

(7) Any classified information, sensitive security information, law enforcement sensitive information, or information that is otherwise privileged or subject to statutory protections, that is part of the administrative record, or cited by the court or the parties, shall be treated by the court and the parties consistent with the provisions of this subsection, and shall be sealed and preserved in the records of the court to be made available in the event of further proceedings. In no event shall such information be released as part of the public record.

(8) The court shall award reasonable attorney fees and costs to a prospective transferee or applicant who is a prevailing party in an action under this section.

(9) After the expiration of the time to seek further review, or the conclusion of further proceedings, the court shall return the administrative record, including any and all copies, to the United States. All privileged information or other information in the possession of counsel for the prospective transferee or applicant that was provided by the United States under a protective order shall be returned to the United States, or the counsel for the prospective transferee or applicant shall certify its destruction, including any and all copies.

(e) SUPREME COURT REVIEW.—A decision by a court of appeals under this section may be reviewed by the Supreme Court under section 1254 of title 28, United States Code.

(f) EXCLUSIVE REMEDY.—The judicial review of a petition filed by the Attorney General under subsection (c) shall be the sole and exclusive remedy for a claim by an individual with respect to the denial requested under the petition.

(g) EXPEDITED CONSIDERATION.—

(1) COURTS.—Not later than 14 days after the date on which a petition is filed under subsection (c)(1)(A) seeking a denial, a court of appeals shall determine whether to authorize the denial, unless the prospective transferee or applicant consents to a longer period.

(2) OF DENIAL.—If the court of appeals denies a petition by the Attorney General under subsection (c)(1)(A), a prospective transferee or applicant may submit the order denying the petition to the Department of Homeland Security for expedited review, as appropriate.

(h) TRANSPARENCY.—Not later than 60 days after the date of enactment of this Act, and quarterly thereafter—

(1) the Attorney General shall submit to the Committee on the Judiciary and the Select Committee on Intelligence of the Senate and the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives a report providing, for the reporting period—

(A) the number of petitions filed under subsection (c)(1)(A);

(B) the number of individuals denied a firearm or explosive transfer under an order granting such a petition; and

(C) the number of instances in which a court of appeals denied such a petition; and

(2) the Secretary of Homeland Security shall submit to the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate and the Committee on Homeland Security and the Permanent Select Committee on Intelligence of the House of Representatives a report providing—

(A) the number individuals—

(i) with respect to whom a court of appeals denied a petition by the Attorney General under subsection (c)(1)(A); and

(ii) who submitted the order denying the petition to the Department of Homeland Security under subsection (g)(2); and

(B) a description of the actions taken and final determinations made by the Department of Homeland Security with regard to submissions described in subparagraph (A)(ii) respecting the status of individuals on the No Fly List or Selectee List, including the length of time taken to reach a final determination.

(i) DEFINITIONS.—In this section:

(1) CLASSIFIED INFORMATION.—The term ''classified information'' has the meaning given that term in section 1(a) of the Classified Information Procedures Act (18 U.S.C. App.).

(2) DOMESTIC TERRORISM.—The term ''domestic terrorism'' has the meaning given that term in section 2331(5) of title 18, United States Code.

(3) INTERNATIONAL TERRORISM.—The term ''international terrorism'' has the meaning given that term in section 2331(1) of title 18, United States Code.

(4) MILITARY INSTALLATION.—The term ''military installation'' has the meaning given that term in section 2801(c)(4) of title 10, United States Code.

(5) NATIONAL SECURITY.—The term ''national security'' has the meaning given that term in section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

(6) SENSITIVE SECURITY INFORMATION.—The term ''sensitive security information'' has the meaning given that term by sections 114(r) and 40119 of title 49, United States Code, and the regulations and orders issued pursuant to those sections.

(j) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to authorize the Attorney General to modify the length of period before a firearm may be transferred under section 922(t) of title 18, United States Code.

SA 4860. Mr. MCCONNELL proposed an amendment to amendment SA 4859 proposed by Mr. MCCONNELL (for Mr. JOHNSON (for himself, Mr. LANKFORD, Mr. CORNYN, and Mr. RUBIO)) to the amendment SA 4858 submitted by Ms. COLLINS (for herself, Ms. HEITKAMP, Ms. AYOTTE, Mr. HEINRICH, Mr. FLAKE, Mr. KAINE, Mr. GRAHAM, Mr. KING, Mr. NELSON, Mr. MANCHIN, Ms. BALDWIN, Mr. KIRK, and Mr. WARNER) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the end, add the following:

This Act shall take effect 1 day after the date of enactment.

SA 4861. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill H.R. 5293, making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the funds appropriated or otherwise made available by this Act for the Department of Defense may be used to enter into a contract with any offeror or any of its principals if the offeror certifies, pursuant to the Federal Acquisition Regulation, that the offeror or any of its principals—

(1) within a three-year period preceding the offer has been convicted of or had a civil judgment rendered against it for—

(A) commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) contract or subcontract;

(B) violation of Federal or State antitrust laws relating to the submission of offers; or

(C) commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property;

(2) is under indictment for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated in paragraph (1); or

(3) within a three-year period preceding the offer, has been notified of any delinquent Federal taxes in an amount that exceeds $3,000 for which the liability remains unsatisfied.

SA 4862. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, 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 appropriate place, insert the following:

SEC. _____. Of amounts provided by this Act or by any prior appropriations Act that remain available for obligation, for necessary expenses of the programs of the Bureau of Justice Statistics of the Department of Justice, under section 302(c) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3732(c)), up to $1,000,000 shall be available to enter into cooperative agreements with appropriate entities to disaggregate local, State and Federal criminal justice statistics to the extent possible by ethnicity and the racial group categories in the decennial census.

SA 4863. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, 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 appropriate place, insert the following:

SEC. ____. The Administrator of the National Oceanic and Atmospheric Administration shall ensure that the Administration responds in a timely manner to requests from the Chair or Ranking Member of a Congressional Committee or their staff for responses to questions for the record, requests for technical assistance, or views on legislation.

SA 4864. Mr. MCCONNELL (for Mr. NELSON) proposed an amendment to the concurrent resolution S. Con. Res. 39, honoring the members of the United States Air Force who were casualties of the June 25, 1996, terrorist bombing of the United States Sector Khobar Towers military housing complex on Dhahran Air Base; as follows:

In the third whereas clause, strike ''Staff Sergeant Daniel B. Cafourek'' and insert ''Technical Sergeant Daniel B. Cafourek''.

In the third whereas clause, strike ''Fenning'' and insert ''Fennig''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. TILLIS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on June 23, 2016, at 10 a.m., to conduct a hearing entitled ''Bank Capital and Liquidity Regulation Part II: Industry Perspectives.''

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. TILLIS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on June 23, 2016, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. TILLIS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 23, 2016, at 10 a.m.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. TILLIS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 23, 2016, at 10:30 a.m., to conduct a hearing entitled ''NATO: Reviewing the Agenda and Assessing the Potential Outcomes of the Warsaw Summit.''

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

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. TILLIS. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on June 23, 2016, at 10 a.m., in room SR–428A of the Russell Senate Office Building to conduct a hearing entitled, ''Beyond the Bench: Ramifications of the Supreme Court Kingdomware Decision.''

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

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. TILLIS. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 23, 2016, at 10 a.m., to conduct a hearing entitled, ''Customer Service and Billing Practices in the Cable and Satellite Television Industry.''

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

SPECIAL COMMITTEE ON AGING

Mr. TILLIS. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on June 23, 2016, at 11 a.m., in room SD–562 of the Dirksen Senate Office Building to conduct a hearing entitled ''The Right Care at the Right Time: Ensuring Person-Centered Care for Individuals with Serious Illness.''

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

PRIVILEGES OF THE FLOOR

Mr. KING. Mr. President, I ask unanimous consent that Amanda Bennett, an intern in my office, be granted the privileges of the floor for today.

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

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that privileges of the floor be granted to my interns Aziza Shemet Pitcher, Margaret May, Rex Miller, Holly Taylor, Molly O'SCannell, Marissa Olson, David Courtright, Robin Spaulding, Will Pate, and Kevin Allen for the rest of the month, as well as the month of July.

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that at 5 p.m. on Monday, June 27, the Senate proceed to executive session for the consideration of Calendar No. 358; that there be 30 minutes for debate only on the nomination, equally divided in the usual form; that upon the use or yielding back of time, the Senate vote on the nomination without intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table, the President be immediately notified of the Senate's action, and the Senate then resume legislative session without any intervening action or debate; further, I ask that at a time to be determined by the majority leader, in consultation with the Democratic leader, on Wednesday, July 6, the Senate proceed to executive session for the consideration of Calendar No. 357; that there be 30 minutes for debate only on the nomination, equally divided in the usual form; that upon the use or yielding back of time, the Senate vote on the nomination without intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table, the President be immediately notified of the Senate's action, and the Senate then resume legislative session without any intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider en bloc the following nominations: Calendar Nos. 513, 516, 517, 559 only, with no other executive business in order.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the nominations en bloc.

The legislative clerk read the nominations of Julie Helene Becker, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years; Steven Nathan Berk, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years; Elizabeth Carroll Wingo, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years; and R. David Harden, of Maryland, to be an Assistant Administrator of the United States Agency for International Development.

Thereupon, the Senate proceeded to consider the nominations en bloc.

Mr. McCONNELL. Mr. President, I know of no further debate on the nominations.

The PRESIDING OFFICER. If there is no further debate, the question is, Will the Senate advise and consent to the Becker, Berk, Wingo, and Harden nominations en bloc?

The nominations were confirmed en bloc.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the motions to reconsider be considered made and laid upon the table, the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

PROVIDING FUNDS TO THE ARMY CORPS OF ENGINEERS TO HIRE VETERANS AND MEMBERS OF THE ARMED FORCES

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 472, H.R. 3114.

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

The legislative clerk read as follows:

A bill (H.R. 3114) to provide funds to the Army Corps of Engineers to hire veterans and members of the Armed Forces to assist the Corps with curation and historic preservation activities, 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 (H.R. 3114) was ordered to a third reading, was read the third time, and passed.

ENHANCING WHISTLEBLOWER PROTECTION FOR CONTRACTOR AND GRANTEE EMPLOYEES

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 506, S. 795.

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

The legislative clerk read as follows:

A bill (S. 795) to enhance whistleblower protection for contractor and grantee employees.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. ENHANCEMENT OF WHISTLEBLOWER PROTECTION FOR CONTRACTOR AND GRANTEE EMPLOYEES.

(a) PROTECTION FOR EMPLOYEES OF GRANTEES AND SUBGRANTEES.—

(1) DEFENSE GRANTS.—Section 2409(a)(1) of title 10, United States Code, is amended by inserting ''or personal services contractor'' after ''subgrantee''.

(2) CIVILIAN GRANTS.—Section 4712(a)(1) of title 41, United States Code, is amended by striking ''or grantee'' and inserting ''grantee, or subgrantee or personal services contractor''.

(3) PERMANENT EXTENSION OF PILOT PROGRAM FOR ENHANCEMENT OF CONTRACTOR PROTECTION FROM REPRISAL FOR DISCLOSURE OF CERTAIN INFORMATION.—

(A) IN GENERAL.—Section 4712 of title 41, United States Code, is amended—

*(i) in the section heading by striking ''**Pilot program for enhancement**'' and inserting ''**Enhancement**''; and*

(ii) by striking subsection (i).

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 47 of title 41, United States Code, is amended by striking the item relating to section 4712 and inserting the following new item:

''4712. Enhancement of contractor protection from reprisal for disclosure of certain information.''.

(b) PROHIBITION ON REIMBURSEMENT FOR LEGAL FEES ACCRUED IN DEFENSE AGAINST REPRISAL CLAIMS.—

(1) DEFENSE CONTRACTS.—Section 2324(k) of title 10, United States Code, is amended—

(A) by inserting ''or subcontractor, or personal services contractor'' after ''contractor'' each place it appears;

(B) by inserting '', subcontract, or personal services contract'' after ''contract'' each place it appears; and

(C) in paragraph (1), by inserting ''or to any other activity described in subparagraphs (A) through (C) of section 2409(a)(1) of this title'' after ''statute or regulation''.

(2) CIVILIAN CONTRACTS.—

(A) IN GENERAL.—Section 4310 of title 41, United States Code, is amended—

(i) by inserting '', subcontractor, or personal services contractor'' after ''contractor'' each place it appears;

(ii) by inserting '', subcontract, or personal services contract'' after ''contract'' each place it appears; and

(iii) in subsection (b)(1), by inserting ''or to any other activity described in section 4712(a)(1) of this title'' after ''statute or regulation''.

(B) CONFORMING AMENDMENT.—Section 4304(a)(15) of title 41, United States Code, is amended by inserting ''or subcontractor, or personal service contractor'' after ''contractor''.

(c) INCLUSION OF CONTRACT CLAUSE IN CONTRACTS AWARDED BEFORE EFFECTIVE DATE.—At the time of any major modification to a contract that was awarded before the date of the enactment of this Act, the head of the contracting agency shall make best efforts to include in the contract a contract clause providing for the applicability of the amendments made by this section and section 827 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1833).

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be agreed to; the bill, as amended, be read a third time and passed, and the motion 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 committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 795), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

HONORING THE MEMBERS OF THE UNITED STATES AIR FORCE WHO WERE CASUALTIES OF THE JUNE 25, 1996, TERRORIST BOMBING OF THE UNITED STATES SECTOR KHOBAR TOWERS MILITARY HOUSING COMPLEX ON DHAHRAN AIR BASE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Armed Services Committee be discharged from further consideration of S. Con. Res. 39 and the Senate proceed to its immediate consideration.

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

The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 39) honoring the members of the United States Air Force who were casualties of the June 25, 1996, terrorist bombing of the United States Sector Khobar Towers military housing complex on Dhahran Air Base.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to; the Nelson amendment to the preamble be agreed to; the preamble, as amended, 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. Con. Res. 39) was agreed to.

The amendment (No. 4864) was agreed to, as follows:

(Purpose: To amend the preamble)

In the third whereas clause, strike ''Staff Sergeant Daniel B. Cafourek'' and insert ''Technical Sergeant Daniel B. Cafourek''.

In the third whereas clause, strike ''Fenning'' and insert ''Fennig''.

The preamble, as amended, was agreed to.

The concurrent resolution, with its preamble, as amended, reads as follows:

S. CON. RES. 39

Whereas June 25, 2016, marks the twentieth anniversary of the terrorist bombing of the United States Sector Khobar Towers military housing complex on Dhahran Air Base, also known as King Abdul Aziz Royal Saudi Air Base, near Dhahran, Saudi Arabia, on June 25, 1996;

Whereas 19 members of the United States Air Force were killed, more than 500 other members of the Armed Forces of the United States were wounded, and approximately 297 innocent Saudi and Bangladeshi civilians were casualties in this terrorist attack;

Whereas the 19 members of the United States Air Force killed in this terrorist attack while serving their country were Captain Christopher J. Adams, Technical Sergeant Daniel B. Cafourek, Sergeant Millard D. Campbell, Senior Airmen Earl F. Cartrette, Jr., Technical Sergeant Patrick P. Fennig, Captain Leland T. Haun, Master Sergeant Michael G. Heiser, Staff Sergeant Kevin J. Johnson, Staff Sergeant Ronald L. King, Master Sergeant Kendall K. Kitson, Jr., Airman First Class Christopher B. Lester, Airman First Class Brent E. Marthaler, Airman First Class Brian W. McVeigh, Airman First Class Peter J. Morgera, Technical Sergeant Thanh V. Nguyen, Airman First Class Joseph E. Rimkus, Senior Airman Jeremy A. Taylor, Airman First Class Justin R. Wood, and Airman First Class Joshua E. Woody;

Whereas the families and friends of these brave servicemembers and the survivors of this attack still mourn their loss;

Whereas the survivors of this terrorist attack suffer still, whether their suffering be through physical injury, mental anguish, or through the remembrance of their fallen compatriots;

Whereas the United States District Court for the Eastern District of Virginia indicted Ahmed Ibrahim al-Mughassil and 13 others on the count, among others, of conspiracy to kill United States nationals;

Whereas Ahmed Ibrahim al-Mughassil is the former military chief of Hezbollah Al-Hejaz, also known as Saudi Hezbollah, a militant group known to be supported by the terrorist group Hezbollah and the Islamic Republic of Iran;

Whereas the United States District Court for the District of Columbia, in a civil action, found the Islamic Republic of Iran liable for the bombing and ordered restitution to be paid to the servicemembers' families that were party to the complaint;

Whereas, on or about August 26, 2015, Ahmed Ibrahim al-Mughassil was detained in Beirut, Lebanon, and turned over to authorities of Saudi Arabia;

Whereas Ahmed Ibrahim al-Mughassil remains listed on the Federal Bureau of Investigation's most wanted terrorist list;

Whereas those guilty of carrying out this terrorist attack have yet to be brought to justice; and

Whereas terrorism remains an ever-present threat which members of the United States Armed Forces and other agents of the United States stand ready to combat throughout the world: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That on the occasion of the 20th anniversary of the terrorist bombing of the United States Sector Khobar Towers military housing complex on Dhahran Air Base, Congress—

(1) recognizes the service and sacrifice of the 19 members of the United States Air Force who were killed in that attack;

(2) calls upon every citizen of the United States to pause and pay tribute to those brave servicemembers;

(3) extends its continued sympathies to the families and friends of those who were killed;

(4) acknowledges the anguish and resilience of the survivors of that attack;

(5) assures the members of the United States Armed Forces and other agents of the United States serving in harm's way throughout the world that their well-being

and interests will at all times be given the highest priority; and

(6) declares that any perpetrators of terrorist acts against members of the Armed Forces, other agents of the United States, or United States citizens will be vigorously pursued and finally brought to justice.

NATIONAL POST-TRAUMATIC STRESS AWARENESS MONTH AND NATIONAL POST-TRAUMATIC STRESS AWARENESS DAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 512, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 512) designating the month of June 2016 as ''National Post-Traumatic Stress Awareness Month'' and June 27, 2016, as ''National Post-Traumatic Stress Awareness Day.''

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

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. 512) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR MONDAY, JUNE 27, 2016

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, June 27; 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 be in a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each.

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

ADJOURNMENT UNTIL MONDAY, JUNE 27, 2016, AT 3 P.M.

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 6:06 p.m., adjourned until Monday, June 27, 2016, at 3 p.m.

NOMINATIONS

Executive nominations received by the Senate:

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

VALERIE MARTINEZ, OF NEW MEXICO, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2022, VICE DEEPA GUPTA, TERM EXPIRING.

RAILROAD RETIREMENT BOARD

THOMAS G. KOTARAC, OF ILLINOIS, TO BE A MEMBER OF THE RAILROAD RETIREMENT BOARD FOR A TERM EXPIRING AUGUST 28, 2017, VICE MICHAEL SCHWARTZ, TERM EXPIRED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. THOMAS W. BERGESON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. THOMAS W. GEARY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JOHN L. DOLAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. RICHARD M. CLARK

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

DAVID W. MAYFIELD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

MICHAEL P. GARLINGTON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C. SECTION 624:

To be major

NOELA B. BACON
WILLIAM D. PLUMMER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

ELIZABETH M. MILLER

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

JENNIFER L. DONAHUE
GREGORY C. SCHELL
CURTIS L. SMITH
ROBERT R. STEEN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

STEVEN D. BARTELL
WILLIAM C. CANTRELL, JR.
RON P. NEITZKE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

NATHAN JOHNSTON
ROGER D. MUSSELMAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

PHILIP ARMAS, JR.
BRIAN J. BRADY
ELLIS C. BREWER
WILLIAM B. BUTLER
DANIEL E. FOSTER
THOMAS W. HARWELL, JR.
MICHAEL F. LEFLORE
GARY L. POLSTON
PAUL R. PORTER
ROBERT J. SCHUG
CHRISTOPHER D. THOMPSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

CATHERINE O. DURHAM
KELLEY S. FOX
JOHN D. GIVENS
CATHY D. LOVELACE
MICHAEL S. LUTTRELL
JACKIE S. ROBBINS
DEIRDRE O. SMITH
MARCI J. VALENCIANO
JANET E. WESSELS
REBECCA A. ZORNADO

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

JAMES H. BURNS
GREGORY R. DIMLER
TOM S. DUANN
JOHN S. J. HAN
EDWARD V. HARTMAN
SABATINO F. LEO
CHRISTINE L. LUSTER
DEBORAH S. MAYER
KRISTIN L. MCCARTHY
CHRISTOPHER D. MORA
GUILLERMO J. ROJAS
CLIFFORD A. SIEGFRIED
REBECCA S. SNYDER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

JOHN M. HARDHAM
ERIC H. LUBECK
MARTIN W. WADEWITZ II

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

PHILIP J. ABELDT
CHRISTOPHER H. CANALES
LARRY R. GOLDSTEIN
MICHAEL B. MCGOWAN
JONATHON C. MCINTOSH
FREDERICK P. OCHAVE
JOHN M. RAY
MICHAEL B. VENER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

LAUREN P. ARCHER
MICHAEL J. BARKER
JAMES BASS
BRIAN B. BLOOM
ROBERT S. BRANNAN
EDWARD J. DAMROSE
JASON D. HIGGINSON
STEPHEN D. HOAG
CHARLES A. HUGHES
KEVIN A. KAPOV
VICTORIA W. KOU
WAYNE A. KRUITHOFF
RON C. KUZDAK
MICHAEL L. MCCLAM
TAMMY MITCHELL
ROBERT J. NORDNESS
CHARLES D. PETERS, JR.
RUSSELL W. READ
SHANNON D. SCHANTZ
ELAN B. SINGER
RICHARD W. SKINNER
ALISSA G. SPEZIALE

CONFIRMATIONS

Executive nominations confirmed by the Senate June 23, 2016:

THE JUDICIARY

JULIE HELENE BECKER, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

STEVEN NATHAN BERK, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

ELIZABETH CARROLL WINGO, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

R. DAVID HARDEN, OF MARYLAND, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.