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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 Spirit, by whose providence our forebears brought forth this Nation, use our lawmakers to make a better world. Empower them to remove those things that obstruct the coming of Your Kingdom on Earth. As they strive for human betterment, may they experience the constancy of Your presence.

Lord, give them the wisdom to give primacy to prayer, seeking Your guidance in all they think, say, and do. Teach them the lessons they ought to learn, enabling them to grow in grace and in a knowledge of You.

And, Lord, with the approach of September 11, we pause to thank You for Your sustaining and prevailing providence. Remind us to not put our trust in human might, but in Your grace, mercy, and power.

We pray in Your strong 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.

### MOMENT OF SILENCE

The PRESIDENT pro tempore. Under the previous order, the Senate will now observe a moment of silence in remembrance of the lives lost in the attacks of September 11, 2001.

(Moment of silence.)

### RECOGNITION OF THE MAJORITY LEADER

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

### MEASURES PLACED ON THE CALENDAR—S. 3296 AND S. 3297

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 (S. 3296) to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for individuals residing in counties with fewer than 2 health insurance issuers offering plans on an Exchange.

A bill (S. 3297) to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for certain individuals whose premium has increased by more than 10 percent, and for other purposes.

Mr. MCCONNELL. 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 having been heard, the bills will be placed on the calendar.

### REMEMBERING SEPTEMBER 11

Mr. MCCONNELL. Mr. President, 15 years ago this Sunday, Al Qaeda terrorists launched brutal and vicious attacks against our country. Yet this weekend America will remember not only the horror of those attacks but also the heroism of our response.

We saw firefighters, police officers, and first responders rush in to confront danger. We saw the men and women of our Armed Forces stand ready and sacrifice greatly in defense of our country. We saw Americans across the land work together in a spirit of unity. So

15 years later, it is clear that the terrorists did not succeed. We remain united against terror.

So this Sunday is a day to remember and honor the victims of September 11 and pray for their families. It is also a day to express gratitude to the many Americans who have fought to keep us safe ever since—the men and women who fight for the very thing that makes this the greatest Nation on Earth—freedom.

### CONGRATULATING BRIAN DUFFY

Mr. MCCONNELL. Mr. President, I want to take a few moments to congratulate a fellow Kentuckian and a good friend of mine who has recently taken up the leadership reins of America's oldest and largest war veterans organization.

This summer, Brian Duffy, of Louisville, was elected commander in chief of the Veterans of Foreign Wars. Brian is the first Operation Desert Storm veteran to lead the VFW. His election is good news, not only for his fellow Desert Storm veterans but for veterans of every generation. That is because Brian lives to serve his fellow veterans, and he has been doing so for decades as a proud member of the VFW for 33 years.

Let me give one example of what Brian has done for the veterans of Kentucky. He is the founder of the Bluegrass chapter of an organization called Honor Flight, a group that flies World War II and Korean war veterans to Washington to visit the memorials that were built in dedication of their military service.

The program provides transportation and food for the veterans of this bygone era, those whose numbers, unfortunately, continue to shrink year after year. Without Honor Flight, many of these veterans would never be able to see the World War II Memorial or the Korean War Veterans Memorial. It is important that they know, more than

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



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six decades later, that America still deeply respects and honors their service and sacrifice.

My father served in World War II. I have had the pleasure of meeting many of his contemporaries when they came to Washington to make this important trip. Hundreds of Kentucky veterans have completed this journey, thanks to Brian and subsequent leaders of Bluegrass Honor Flight.

That is just one way Brian has worked to see that America stands up for its veterans, just as they have so bravely stood up for their country. It is one reason why I know he will make an excellent commander in chief for the VFW.

Brian served in the U.S. Air Force as a jet engine mechanic on F-4 Phantom fighter aircraft before becoming a flight engineer aboard a C-141 Starlifter transport aircraft. He has deployed to Grenada and Panama as well as on Operations Desert Shield and Desert Storm.

Brian and his wife Jean, who has also served in leadership posts for the VFW, live in Louisville and have two children, Tara and Andrew. I am sure his family is proud of Brian, along with many Kentucky veterans, particularly his fellow VFW members at Post 1170.

Let me also congratulate my good friend Carl Kaelin, whom I have also worked with for decades on behalf of Bluegrass State veterans, for his appointment to serve as chief of staff to the commander in chief. Carl and Brian will make quite a team. Kentucky and the Nation are grateful for their leadership and for their service.

Brian has previously served the VFW as its junior vice commander in chief. He also served as the senior vice commander in chief. I know Brian is a huge hockey fan. So he will know what I mean when I say that his election as commander in chief makes quite a hat trick—to the benefit of Kentucky veterans and veterans across America.

In Brian's own words, the VFW is "an organization of doers" and "an organization comprised of patriots." Both of these descriptions aptly fit the VFW's new chief. Under Brian's leadership, I am sure the VFW will continue to pay it forward to every veteran who has raised his or her right hand and taken an oath to defend a nation dedicated to the preservation of life and liberty.

#### OBAMACARE

Mr. MCCONNELL. Mr. President, President Obama said something interesting just days before signing his namesake health takeover into law. In explaining the need for ObamaCare, here is what he said:

[W]hat's happening to your premiums? What's happening to your co-payments? What's happening to your deductible? They're all going up. That's money straight out of your pocket.

So, the bottom line is this: The status quo on health care is simply unsustainable.

"Simply unsustainable" was the President's view on the state of our

health care system before ObamaCare. Here is his view on the health care system 6 years later: "Too many Americans still strain to pay for their physician visits and prescriptions, cover their deductibles, or pay their monthly insurance bills; struggle to navigate a complex, sometimes bewildering system; and remain uninsured."

That is the President on the state of America's health care law 6 years after ObamaCare. The President wrote this just last month. It sounds an awful lot like what we heard from him years ago, in the pre-ObamaCare world. It throws the reality of this partisan law into stark relief. It is not only that ObamaCare is failing to live up to the many promises invoked to sell it, but it is often making things worse.

Just pick up any paper or turn on the news, and you will see that more troubling projections are rolling in when it comes to ObamaCare. In fact, each day seems to bring more forecasts of skyrocketing premiums and dwindling choices. It is a trend hitting Americans across the country.

For instance, here is the headline people in my home State recently awoke to: "Get ready to pay more for health insurance in Kentucky." The story goes on to warn of ObamaCare premium rates that could skyrocket by as high as 47 percent. Nearly 160,000 people are expected to be impacted.

Here is a letter from a man from Louisville who recently contacted my office. "How," he asks, "are working class Americans, like myself, able to budget for such drastic changes?" "The so-called Affordable Care Act," he said, "is unaffordable."

He and other Kentuckians are hardly alone in feeling this way. Take Illinois, where premiums could soar by as much as 55 percent; or Tennessee and Montana, where some rates could skyrocket by more than 60 percent; or Minnesota, where premiums could rise by an average of more than 50 percent. Minnesota's Democratic Governor said he was "alarmed" by these "drastic increases" and called them "reason for very serious concerns."

Even my friend, the Democratic leader, referred to ObamaCare's premium increases yesterday as "huge." He is right. He was right to mention ObamaCare's "tax increases" too. This partisan law raised taxes that hit the middle class after Democrats promised that it wouldn't.

So these huge premium increases aren't the only reason ObamaCare is raising costs for the middle class. Premiums aren't the only reason that Americans recently cited health costs as their No. 1 financial concern. It isn't hard to see why Americans might be hurting. Taxes are up, copays are up, and deductibles are outpacing wages. Now, with more and more insurance companies pulling out of the ObamaCare State exchanges, Americans are being left with another big problem—fewer coverage options.

The Obama administration used to promise us that the ObamaCare mar-

ketplace would "provide more choice and control over health insurance options" and result in "a significant increase in competition and an array of options for consumers everywhere." That was the promise of ObamaCare.

But that is not the reality for many Americans today. ObamaCare has forced out so many insurers that about one in five ObamaCare customers will be forced to find a new insurance company this fall. More than half of the country could have two or fewer insurers to choose from in the exchanges next year, and about one-third of all counties in the United States, along with seven entire States, are set to have just a single insurer offering plans in their areas. That includes one county in Arizona that, until just last night, would have had no options in the exchange at all. I know this is something that Senator MCCAIN has been deeply concerned about, and he has introduced good legislation to address it.

ObamaCare co-ops continue to collapse at every turn, too, with less than one-third expected to offer plans next year. When these co-ops collapse, they can cost taxpayers millions and disrupt coverage for thousands of enrollees. They can force patients to start over on their deductibles midyear and even to find new doctors. These are the latest reverberating echoes of the President's most famous broken promise: "If you like your health care plan, you can keep it." That was the President's promise.

Here is a Kentuckian from Campbellsburg, who wrote to me after losing his insurance:

I lost my health insurance that I had for many years because of ObamaCare. Instead of something affordable, I face the possibility of struggling to purchase an Obama health plan that costs two to three times what I had been paying.

To top it off, he said, the "process of trying to find coverage has been a nightmare."

Here is something to keep in mind when Democrats try to spin the American people on ObamaCare. For all of this chaos and pain for middle-class families, ObamaCare still has not achieved its stated purpose of universal coverage—not even close. Tens of millions still remain uninsured—tens of millions. And those who do have insurance are now discovering that simply having health insurance isn't the same thing as having health coverage. They have insurance, but it isn't the same thing as having health coverage.

Take one New Jersey man who has suffered for years from chronic migraines and needs medication to help alleviate the pain. The moment ObamaCare placed him on Medicaid, he lost his access to each of his doctors, which meant waiting 4 months to see a new doctor and get a prescription for the medication he needs. He said:

You have a card saying you have health insurance, but if no doctors take it, it's almost like having one of those fake IDs. Your medication is all paid for, but if you can't get the pills, it's worthless.

According to a Gallup poll released just this morning, many more Americans report that ObamaCare has hurt rather than helped their families—and many more Americans say that ObamaCare will make their family's health situation worse rather than better over the long run.

Is it any wonder? Americans were told that ObamaCare would allow them to keep the health plans they liked. They couldn't. Americans were told that ObamaCare would drive down health care premiums by \$2,500 per family. It hasn't. Americans were told that ObamaCare would not raise taxes on the middle class. It did. Americans were told that ObamaCare would increase choice and competition. The very opposite is proving true.

And remember the promise that "if you like your doctor, you can keep your doctor"? It has been broken too. In fact, the Obama administration recently erased references to "keeping your doctor" from its Web site. These entirely predictable consequences are not just flukes or quirks of ObamaCare. They are not just small wrinkles in the system that will work themselves out with time. They represent fundamental flaws built into the law's original design.

Republicans warned about ObamaCare's consequences repeatedly from the very start. Democrats mocked us for doing so and rammed through their partisan law anyway. Every single Democrat in the Senate was needed to pass it, and they got every one of them.

I invite Democrats to now consider following the lead of one of the President's own former health care advisers who recently penned an op-ed titled "How I was wrong about ObamaCare." The problems Democrats caused for the middle class aren't going away until ObamaCare does. So if Democrats are serious about helping the middle class, they will work with us to build a bridge beyond ObamaCare to better care. Anything else is just more hollow rhetoric.

Today, 6 years on, ObamaCare is failing the middle class, but the President still hasn't offered a serious solution to fix it. He is now trying to convince Americans that the solution to his bloated, unwieldy, and expensive law is to make it more bloated, more unwieldy, and more expensive. In other words, it is more of the same—more of the same, just worse. His preferred Presidential candidate says the same thing. So do congressional Democrats.

How can anyone conclude, after reading all these stories about how ObamaCare is hurting the middle class, that what we need now is more ObamaCare in the form of a government-run plan? That is their solution now—more ObamaCare in the form of a government-run plan.

Look, Democrats can continue to spin us on how great this law is. They can continue to tell Americans to "get over" this law and its pain for the mid-

dle class. They can continue to laugh at Americans who lose their plans. They can continue to crow about exploiting "the stupidity of the American voter" to push this partisan law on the middle class. Or they can work with us to move beyond the failed experiment of ObamaCare. They can prove that they are finally willing to put people before ideology.

This much is clear: ObamaCare is a direct attack on the middle class. It hurts the very people it was designed to help. It raises costs, crushes choice, and is now crashing down around us. It simply isn't working.

To quote what President Obama said 6 years ago, "The bottom line is this: The status quo of health care is simply unsustainable."

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#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

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#### REMEMBERING SEPTEMBER 11

Mr. REID. Mr. President, it seems it was just a few minutes ago, but it wasn't; it was 15 years ago that, just a few feet from where I stand now, I went to a meeting. It was approaching 9 o'clock, and no one was in the room, S-211. Senator Breaux from Louisiana walked in, and he said: Flip on the TV. And we did. We could see the tower had been hit in New York. We thought a plane had hit it by mistake. So we shut off the TV and Senator Daschle came in and started the meeting. In just a few minutes, some people came in and ushered Senator Daschle out of the meeting. He came back in quickly and said: The building has to be evacuated; there is a plane headed toward the Capitol. As we walked out of the room and looked out the window, we could all see the smoke billowing from the place we learned was the Pentagon. I will always remember that. Of course I will. And, of course, we have learned since of the many heroes of that day—people running not away from danger but toward danger.

On that day, I was first taken home. I had to rush back to the Capitol, through police barricades. Four Members of the leadership were helicoptered out of the Capitol to a secure location outside of DC. As the sun was going down, we came back to the Capitol steps. BARBARA MIKULSKI, the Senator from Maryland, who is known for giving dynamic speeches, didn't give a speech that day. In front of this bipartisan group of Senators, she very simply said: I think what we should sing is "God Bless America." We all did that. It was a beautiful rendition of all the varied voices of Senators, Republicans and Democrats, singing that song. We didn't know what that meant—what tomorrow would bring—but that gave us some inspiration to think about how great our country is.

The perpetrators sought to attack our democracy, our way of life, but

they failed. The tragedy of that day reminded every American of our collective strength and resilience, led by George Bush who did such a remarkable job of rallying the Nation.

We exhibited the best of ourselves in front of the world, and we resolved to degrade and destroy the terrorists responsible. After many failed attempts and in spite of some people saying "Let's wait," President Obama said "Let's do this." And they killed Bin Laden. That was the right thing to do. It was a courageous move on behalf of President Obama but the right thing to do. He was ultimately brought to justice.

Today, 15 years later—I will always remember that experience a few feet from here, but we will all remember, in our own way, September 11, and in our own way honor the victims and the heroes of that day and never forget. We are always stronger together when we are united.

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#### OBAMACARE

Mr. REID. Mr. President, I have trouble comprehending my friend the Republican leader—how he can, with a straight face, talk about how terrible America is today. Things are upside down; it is terrible.

Remember, Obama was elected President almost 8 years ago. That month, under the prior administration, for lots of reasons we have all talked about, our country lost 800,000 jobs in one month. That wasn't the only month. Our unemployment rate shot up in places like the Presiding Officer's and my State to more than 14 percent. Unemployment in America was raging. Major companies failed. I saw the Secretary of Treasury on his knees in the White House begging the Speaker of the House, NANCY PELOSI, for help.

We joined together with President Bush. There was nothing partisan about what we did. Even though there were some small steps, we did our best to help the country. Since then, under the last 8 years of President Obama's leadership, the country has been significantly turned in the right direction.

For my friend the Republican leader to parrot what Donald Trump is saying: "Make America great again"—America is great right now. Unemployment is less than 5 percent. Millions of jobs have been created in this administration—millions and millions of jobs—about 16 million.

We have no ground troops, except in Afghanistan. They have been brought home, and rightfully so. To hear my friend the Republican leader talk about the awfulness of ObamaCare—you don't have to have a long memory to know what it was like before ObamaCare. Insurance companies were canceling policies, denying insurance, not writing insurance because you are a woman, because you had a prior disability. I don't know if my friend is briefed by his office, reads the newspapers, or watches

the news. Three days ago the word came out that the uninsured are at all-time lows in our country. Ninety-two percent of Americans have health insurance. Is that bad? Is the insurance perfect? Of course it is not. We have 19 States led by Republican Governors who refuse to accept Medicaid. The Republican Governor from Nevada made the right choice, and it has been good for the State of Nevada.

It is interesting that after more than 6 years, we still have never seen a plan by the Republicans and what they want to do other than vote against ObamaCare. ObamaCare has expanded coverage to millions of Americans. It has improved the quality of health insurance. A lot of people who don't like the plan don't like it because they don't think it is strong enough and they want to do more. The marketplace will continue to connect Americans to quality, affordable health insurance.

I thought Republicans believed in the free enterprise system, and that is what we have with ObamaCare. The health insurance marketplace is so much better than pre-Affordable Care Act. They should stop trying to repeal ObamaCare and work with us to improve what we have. It is not going to go away.

The Affordable Care Act has shown that it has had a positive impact on the stated goal of lowering the number of people without coverage. Millions of people have health insurance who didn't before. He and other Republicans continue to come down to the floor and complain, although not as often as they used to because they have been embarrassed too many times. The Republican leader seems to think that things were better before Americans had coverage, including the 500,000 people in Kentucky who now have insurance because of ObamaCare. I guess he seems to be saying that he liked it better when insurance companies could deny coverage for any reason that they thought was appropriate; it didn't have to be a good reason.

#### SUICIDE PREVENTION

Mr. REID. Mr. President, September 10 is World Suicide Prevention Day. I had occasion to visit with our former colleague, Gordon Smith, a tremendously good Senator from the State of Oregon, while I was in Las Vegas a couple of weeks ago. Even now we often speak—as we did in Las Vegas that evening—about our experience with those who have committed suicide. Gordon lost a son, I lost a father, and there are a small number of people here in this room today—if we could do an oral poll, we would find that many people in this room have been affected by suicide.

Think about it. Each year, about 33,000 people commit suicide. That is a lot of people. It took me a while to accept not feeling sorry for myself and to try to do something about it, and we

have done some things here as a body about suicide.

We really don't understand it very well. For example, most suicides occur in the western part of the United States. I would have thought just the opposite. The West has bright, sunshiny skies, and the weather is a lot better than places like New York, but for some reason, west of the Mississippi, we have a problem with suicide that doesn't occur in other places.

It is a national problem, and we have to do something about it. We have 33,000 people die every year, and those are the ones we know about. There are hunting accidents, car accidents, and hiking accidents that are really suicides but they are not acknowledged as such.

From 1999 through 2014, the suicide rate in the United States increased by 24 percent, both men and women of all ages. Women are now becoming more equal to men in killing themselves.

If we are going to actively address the increasing rate of suicides, we can't ignore the role firearms play. Guns are the most common device men turn to when they commit suicide. That is according to the CDC and not some left-wing group the Republicans like to harangue about. Almost 23,000 suicides were carried out with firearms in 2013—that is the last information that we have—which is 10 percent higher than 3 years earlier.

We don't really know what is happening in the military. Twenty-two people in the military will kill themselves today. It is mostly done after they have been honorably discharged from the military.

We need to invest in evidence-based prevention. Young people are killing themselves. One of my wonderful staff members, my chief of staff—she is such a dear friend—comes from a large family of 10 children. One of her brothers is a medical doctor with twins. One of them hanged himself—an 11-year-old boy, dead.

We have to have more science-based information, and we don't have it. Mr. President, 33,000 people are dying each year as a result of self-inflicted injuries.

I note with a degree of seriousness that September 10 is World Suicide Prevention Day. I hope we can all acknowledge this is something on which we need to work together. It is not a partisan issue; just ask Gordon Smith. It is not a partisan issue; just ask me. As I have indicated, many people who work in these wonderful buildings in the Capitol have been affected by suicide.

Will the Chair announce the business of the day.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. ROUNDS). Under the previous order, the leadership time is reserved.

#### WATER RESOURCES DEVELOPMENT ACT OF 2016

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 2848, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 2848) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

Pending:

McConnell (for Inhofe) amendment No. 4979, in the nature of a substitute.

Inhofe amendment No. 4980 (to Amendment No. 4979), to make a technical correction.

The PRESIDING OFFICER. The Senator Alaska.

Mr. SULLIVAN. Mr. President, I wish to speak on the bill we are debating, the Water Resources Development Act. I will begin by commending the chairman of the EPW Committee, Senator INHOFE, and the ranking member, Senator BOXER, for their leadership on this legislation.

Sometimes it is important to just look at what these bills are doing. The Water Resources Development Act—WRDA, we call it here—the title says:

To provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

One of the things I have come to the floor of the Senate to speak on a number of times is one of the most important things I think we should be doing in the Senate, and that is focusing on our economy. With all due respect to the minority leader with regard to the economy in the United States, things are not going well. Just over the past two quarters, we again had numbers that were dismal by any historical measure in the United States. Last quarter, I think we had 1.5 percent GDP growth, and the quarter before that, we had 0.8 percent GDP growth. As a matter of fact, President Obama will be the first President in U.S. history who never hit 8 percent GDP growth in 1 year—never. No President has had such a dismal regard in terms of growing the economy.

What should we be doing? First of all, we need to focus on the economy. One of the critical things we should be doing in the Congress—one of the things we need to unleash to the private sector is better infrastructure for this country. Again, I commend the chairman of the EPW Committee and the ranking member because they have been leaders on this issue. Last year, we passed the first long-term highway bill in many years with the FAST Act. That is infrastructure for the country. Right now, hopefully, the Senate will pass the WRDA bill.

These aren't perfect pieces of legislation. No piece of legislation ever is. For example, I think both of them could

have had provisions that streamlined the permitting process to build bridges, roads, and ports. Right now in this country, it often takes years to cut through the redtape to get permission from the Federal Government to build infrastructure. We need to do a better job on that. But the FAST Act and now the WRDA bill are important bills. They are important bills to help us grow our economy, and that is why I am supporting the WRDA bill we are debating here on the floor.

There are many provisions in this bill that are going to benefit different parts of the country. It will certainly benefit the State of Alaska. We are a young State. We are infrastructure poor, for sure, in terms of roads, ports, and harbors.

One provision I wish to highlight is section 7106, the Small and Disadvantaged Communities Grant Program. This is a new program that I had the opportunity to work on with my team, Senator INHOFE's team, Senator BOXER's team, and Senator WICKER. We are all focused on this issue. It stemmed from an important topic we were discussing.

I know my colleague and friend, Senator PETERS from Michigan, is going to talk about Flint, MI, and what happened there and the topic of our aging infrastructure. I certainly respect his advocacy for his constituents on this topic.

We have been talking about our aging infrastructure, but one topic we didn't talk a lot about in the Senate—and I certainly tried to raise it a lot—is not just aging infrastructure, but how about the topic of no infrastructure for communities in the United States? I know a lot of Americans don't know this, but there are a lot of communities in our great Nation that have no clean water, no sewer, and no toilets that flush—entire communities in America. Think about that. They have no running water and no toilets that flush. They have what we call in Alaska honey buckets. Sounds sweet, of course, but it is not sweet; it is literally American citizens having to haul their own waste from their house to a lagoon and dump it there. Can you believe that in America we have entire communities—in my State over 30—that have that problem? What this causes is often very high rates of disease, such as skin disease, ear infections, and sometimes at third-world disease rates. Again, this is happening in America. I think it is unacceptable, and I think most of my colleagues believe it is unacceptable. It is not right.

That is where the new provision, the Small and Disadvantaged Communities Grant Program, comes in as part of this bill. It prioritizes assistance to small communities throughout our country that don't have basic drinking water or wastewater services. This is a 5-year program that is in the bill. It authorizes \$1.4 billion to address what I think the vast majority of Americans would agree is an unacceptable condi-

tion in certain communities throughout our great Nation. No American community should have to rely on honey buckets. No American community should have Third World disease rates because they don't have water and sewer.

So this WRDA bill is a serious start to address this issue. It is a significant challenge. It is not going to be addressed overnight, but I think everybody in this Senate can agree we shouldn't have communities of hundreds of people in our great Nation who don't have basic services that the vast majority of Americans take for granted and assume that every community in our great country has, but we don't.

This is a good start to do what one Governor of Alaska put out as a vision and a goal, which is to put the honey bucket in a museum, and that is what we are going to try to do beginning with this program.

I encourage my colleagues to support the WRDA bill that is being debated on the floor. I again wish to thank Chairman INHOFE and Senator BOXER for their leadership on this important piece of legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Mr. President, I rise to speak about the Water Resources Development Act, known as WRDA as well, which we are now considering and we expect to vote on next week.

This bill will significantly reduce the threat of lead exposure and other drinking water contamination for our communities across the United States, and it will invest in our aging water infrastructure. I am particularly pleased that language addressing the Flint water crisis—language I worked on with my colleagues Senator STABENOW, Senator INHOFE, Senator BOXER, and many others—is included in the WRDA bill before us. Their strong leadership has been invaluable, and I thank them for their efforts.

WRDA provides resources that will improve drinking water infrastructure in Flint, MI, and other places where pipes, pumps, and treatment plants are crumbling and are woefully out of date. This bill also funds health care programs for communities that have been affected by lead contamination. Also, all of the direct spending is fully paid for.

Crafting this bill has been a constructive process with input from many Senators. There are a number of new, smart policy changes that will vastly improve water quality and tackle accessibility challenges. For example, this bill delivers funding for programs that will reduce lead in drinking water, test for lead in schools and childcare facilities, and invest in new water technologies.

WRDA also authorizes over \$12 billion for 29 Corps of Engineers projects in 18 States. These projects invest in ports and inland waterways, flood control and hurricane protection, and the restoration of critical ecosystems.

This worthy bill has earned the endorsements from a long list of critical stakeholders, and I appreciate the bipartisan support that has made crafting and considering this bill such a collaborative process.

While floor time for this measure is certainly long overdue, what really matters now is that we have an agreement to move forward. This is a fantastic opportunity to help millions of people all across our great country.

We now have a pathway to success if we can move the final vote of this legislation next week. I urge my fellow Senators to show the American people we can continue to work together to address urgent needs across our country, invest in critical infrastructure, and deliver much needed—and fully paid for—support for Flint families.

Mr. President, 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. COONS. 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

Mr. COONS. Mr. President, I rise because of three numbers—three simple but important numbers—100, 176, and 9. What do all of those have to do with the matter that I think should be before us today? Well, it has been 176 days since President Obama did his job under the Constitution and nominated Chief Judge Merrick Garland of the DC Circuit Court, a consensus candidate, to our Nation's highest Court following the untimely passing of Justice Scalia. We have, of course, 100 Senators whose challenge it is to find ways to work together across the aisle and do our job and make progress for our country. It has also been 100 years that the U.S. Senate has had a Judiciary Committee—a committee on which I have the honor of serving. In the 100 years we have had a Judiciary Committee in the U.S. Senate, we have never had this situation, where the President does his job under the Constitution and nominates an eminently qualified jurist and the Senate Judiciary Committee refuses—just refuses—to conduct a hearing, to give a vote, to bring it to the floor, and to offer a final vote.

Obviously, we have disagreements. We have disagreements in this body over principles and ideology. That is part of our job to come here representing our States and their different priorities and values. But to steadfastly refuse for 176 days to even convene a hearing, to even begin the process to allow the American people to have some insight into the quality and caliber of the man nominated by our President strikes me as an unprecedented refusal. It is the first time in a century that we have so blatantly had one group in this body refusing to proceed.

Our window for acting is closing because in just a few weeks, on October 3, the Supreme Court's new term begins. So the refusal to act and to fill the ninth vacant seat has now had a serious ongoing impact on one term of the Supreme Court and now soon on a second term of the Supreme Court. We have never had a Supreme Court vacancy go this long in modern history.

In terms of the qualifications of the candidate, let's just take a quick look at the public record so far.

A bipartisan group of former Solicitors General—the lawyers of the United States, the persons who represent the United States in court and often before the Supreme Court—including Paul Clement, Ted Olson, and Ken Starr, have endorsed Judge Garland as “superbly qualified,” having “demonstrated the temperament, intellect, and experience to serve” on the Supreme Court. This is not a sharply divisive nominee who is pursuing a particular ideological agenda. This is a well-regarded, well-respected, seasoned senior member of the Federal judiciary.

Top lawyers at 44 U.S. companies have written to the Senate calling Judge Garland “exceptionally well-qualified” and noting that a prolonged vacancy continues to leave important, even vital, business issues unresolved before the Court, giving them a lack of predictability and leading them to have to make decisions in the absence of clear guidance from the Court.

Just yesterday my colleagues and I joined some of Judge Garland's former law clerks in front of the Supreme Court. Sometimes when I have had the opportunity to review nominees for Federal judgeships, I like to hear from those who previously worked for them. In a letter to the Senate, a group of Judge Garland's former clerks noted that “Chief Judge Garland deeply believes that our system of justice works best when those who see things differently are able to work together, in a collegial manner, to arrive at a just result.”

Yesterday we heard again firsthand accounts from Judge Garland's clerks of his wisdom, mentorship, decency, and commitment to justice. I wish we could follow the same approach in the Senate that Judge Garland's clerks and other former coworkers said he followed in the Department of Justice, as a career prosecutor, and as a judge on the DC Circuit—an approach that focuses on collegiality and success.

I had the honor of meeting with Judge Garland on April 7. In addition to his truly impressive intellect and compelling and long judicial experience, our conversation revealed to me a person of real character, good judgment, deep sensitivity, and thoughtfulness. I wish I had the opportunity in front of a public hearing of the Judiciary Committee to ask him similar questions that would allow my constituents, the President's constituents, and other Members of this body to ask

and answer important questions before the American people, before a committee of this body, and before our colleagues so that we could do our job and move forward. Yet we haven't had this hearing—the hearing that the American people so need and deserve.

In May, my Democratic colleagues held a public meeting to try to further explore and air Judge Garland's background, where we heard from four esteemed, significant, and experienced individuals deeply familiar with Judge Garland's experience and character—a former court of appeals judge, a former U.S. attorney, a former Cabinet Secretary, and a U.S. law professor who clerked for Judge Garland. All four of them urged us to move forward and consider his nomination.

Of those four, Judge Lewis' testimony has particularly stuck with me. He was nominated by President George H.W. Bush in September of 1992, which, to the best of my recollection, was an election year. He was then confirmed by a Democratic-led Senate in October of 1992, less than a month before a hotly contested Presidential election. Judge Lewis previously came to testify in support of then-Judge Samuel Alito of the Third Circuit before his elevation to the Supreme Court. Judge Lewis warned us earlier this year in this meeting that what we are doing is not only deadlocking the Supreme Court, but it is diminishing it.

Our system of justice, our Federal courts, and our constitutional order are one of America's most precious assets. As a Member of the Foreign Relations Committee, I have the honor of traveling to other countries to represent our country, most often on bipartisan delegations, where we urge them to follow our model. Sadly, in too many countries I have visited, they cannot depend upon their judiciary to be truly independent, to enforce the rule of law, to issue judgments that are in keeping with their laws, traditions, or, most importantly, their constitution. That is why I am disappointed that we are engaging in this unprecedented refusal to follow the rules, to follow the process of the Constitution and the Senate and to give this important nominee a hearing. That is why I am disappointed by Leader MCCONNELL and Chairman GRASSLEY in their refusal to consider Judge Garland's qualifications. It is my hope they will reconsider.

In Chief Judge Garland's nomination, President Obama fulfilled one of his most important constitutional responsibilities. Now all 100 Senators, on this 176th day that we are waiting to fill this 9th vacancy on the Supreme Court, must do our job and provide appropriate advice and possibly consent to the President's nominee. The Senate has a valuable opportunity to show our constituents, the American people, and the world that even in the midst of a divisive Presidential campaign, our democratic and constitutional system still works. We cannot allow yearlong

Supreme Court vacancies to become routine, and I am deeply concerned about the manner in which the Senate is conducting itself and the possibility that this unprecedented inaction will set a precedent for future vacancies and send a signal to the world that our constitutional order cannot still function.

I remain hopeful that my colleagues will give serious thought to the systemic consequences of what we are doing through our refusal to even hold a hearing on Judge Garland. It is long past time to put the good of our Nation and the Constitution above the politics of the day and to get to work on this confirmation.

The PRESIDING OFFICER. The assistant Democratic leader.

#### NOMINATION OF MERRICK GARLAND

Mr. DURBIN. Mr. President, I would like to thank my colleague from Delaware for joining me yesterday on the steps of the Supreme Court. We had law clerks who had served Judge Garland over the years who spoke in glowing terms about the man's ability to serve. In fact, I have not heard any detractors or critics who have come forward to suggest that the President's nominee is not a serious candidate for this job and one who would fill it with great competence.

Here is the reality of what we face. This is the Executive Calendar, which is passed out every single day in the Senate. You will see it on the desks of many of my colleagues. In this publication are nominations pending before the Senate. There are 27 Federal judicial nominees whose nominations are pending before the Senate.

One nomination that might be of interest to those who are following this debate is a nomination that goes back to October of 2015 of Edward L. Stanton III, of Tennessee. Now, we know the way the process works is that Mr. Stanton's name would not be on the calendar to be considered by the Senate were it not for the support of both Senators from Tennessee—in this case, both Republican Senators of Tennessee. So we have a nomination to fill a vacancy on a Federal district court of Tennessee that has been approved by both Republican Senators and reported out of the Senate Judiciary Committee in October of last year—almost 1 year ago.

Obviously, a question must be raised. What is wrong with Mr. Stanton? What did he do? How did he get approved by both Senators and out of committee only to be sitting on the calendar for a year? What he did was he ran into a concerted, deliberate plan by Senate Republicans to stop filling judicial vacancies under President Barack Obama. There are 26 like him who have been reported from the committee and sent to the calendar.

Listen, here is the interesting part. Senator GRASSLEY, the chairman of the Senate Judiciary Committee, has called a special meeting of the committee today to take place right after

the first vote, right off the floor here. To do what? To add five more names to the calendar—five more nominees to the calendar. Why? Is there going to be one magic day when all 32 are going to fly out of the Senate by a handful of votes?

Well, nobody said that is going to happen. Unfortunately, it means that for each of these nominees—starting with Mr. Stanton, 1 year ago—their lives are going to be on hold. They made a good-faith effort to step forward to serve the United States of America in the Federal judiciary. They submitted themselves to elaborate background checks by the FBI and other agencies, and then, when reported by the White House, they went through further background checks by the staff of the Senate Judiciary Committee.

Each of these individuals went through a hearing where, under oath, they were asked questions. Each of them, in many instances, was asked to present additional support materials for their nomination. They did it all. They did everything that was asked of them, and they sit on the calendar. What is this all about?

Well, I would say Senator MCCONNELL and Senate Republicans are not very veiled in concealing their strategy. They don't want a Democratic President to fill a vacancy on the Federal bench, despite the fact that the people of the United States chose President Barack Obama by an overwhelming margin, despite the fact that he continues to have the powers of office. They want to thwart and stop that authority of the President to fill Federal judicial vacancies. Their hope is that their favorite candidate, their beloved nominee Donald Trump, will pick the next set of Federal judges. Can you imagine?

What really is behind this is not just to give Mr. Trump his moment to pick the nominees and make nominations to pick the future members of the judiciary but really to serve a specific political agenda. The Senate Republicans are afraid of what would happen to a Federal court system if independent jurists served. They want their friends instead. They want those who will lean in their direction when it comes to the important issues of corporate interests, Wall Street banks, and the Koch brothers. The courts mean an awful lot to companies and wealthy people, and they want to make sure the right people are sitting there making decisions when it comes to the future.

So 27 nominees sit on the Senate calendar, and the Senate Republicans refuse to call them for a vote. Senator GRASSLEY on the Senate Judiciary Committee wants to add five more to the list today. Why? Why are we doing this to these poor people, putting them through this charade of nomination when there is no intention to fill the vacancy? Incidentally, among the vacancies currently pending on the Federal judiciary—we are now up to 90 va-

cancies across the United States—a third of them are in emergency situations, which means that the courts cannot properly function because of the vacancies on the Federal bench. Despite this, the Senate Republicans refuse, being in control of the Senate, to call these names for consideration. They know they will pass. They are not controversial. They went through the committee, and they languish on the calendar because of this political decision.

I wish that were the worst example, but it is not. The worst example relates to the 176 days pending since the nomination of Judge Merrick Garland, chief judge of the U.S. Court of Appeals for the District of Columbia Circuit. He has had his name before the Senate in nomination and has not been called for a hearing or a vote.

Each of us, when we become a Senator, walks down this aisle and over to the side where the Vice President of the United States administers an oath of office. We don't take oaths lightly. For most of us, there are only a handful of moments in our lifetime where we raise our hand and swear that we are going to do certain things. In this case, we stand there in the well of the Senate and swear to uphold the Constitution of the United States of America. You might think it is a formal declaration—and it is—but it is also a meaningful declaration. This country was riven and also destroyed because of a dispute over our Constitution which led to a civil war. So we make certain, if you walk down this aisle and put up your hand over there, one hand on the Bible, one hand reaching to the heavens, taking an oath to uphold the Constitution, we are serious about it.

Yet, when it comes to filling this Supreme Court vacancy, the Constitution is explicit about our responsibility in the Senate. Article II, section 2, speaks to the President's constitutional responsibility—responsibility—to fill vacancies on the U.S. Supreme Court. Why did the Founding Fathers make it a responsibility and a mandate? Because they knew what would happen if vacancies on the Court could be used for political purposes, if leaving slots vacant on the Court advantaged one political party or the other.

So they came forward and said: It is all about a full set of Justices and the President's responsibility to nominate those who would fill the vacancies. The death of Antonin Scalia created a vacancy. The Court across the street now has eight Justices. They have already been hamstrung by the fact that one Justice is missing and they were unable to reach a decision in critical cases.

So the President met his responsibility 176 days ago and sent the nomination of Merrick Garland to be considered by the Senate. I don't use this term loosely. I have looked it up. I have researched it. I want to say explicitly, the Senate of the United States of America has never, never in

its history since the Judiciary Committee has been in business, never once refused a Presidential nominee a hearing. It has never happened.

Oh, I know, some of my critics on the other side will say: Well, if the shoe were on the other foot, if it were a Democratic Congress and a Republican lameduck President, you would do the same. Wrong. In recent memory, in recent history, when President Ronald Reagan was in the last year of his term and there was a vacancy on the Supreme Court, he sent the nomination of Anthony Kennedy to a Democratic-controlled Senate, and instead of refusing to do our job, the Democratic Senate approved Justice Anthony Kennedy, the Reagan nominee, in the last year of the Reagan Presidency.

But Senator MITCH MCCONNELL and the Senate Republicans have said no. No, we are just not going to do it. We don't care if the Constitution requires it. We don't care if we have taken an oath to live up to the Constitution. We don't care if it has never been done before in the history of the Senate. We are going to stop this President from filling this Supreme Court vacancy because our friends, our special interest groups, corporate interests, Wall Street banks, and the Koch brothers, don't want to see an Obama nominee filling this vacancy.

It is a shame. Merrick Garland is an extraordinarily gifted jurist. He is a son of Illinois—maybe I come to it with some prejudice—born in Chicago, raised in Lincolnwood, valedictorian of his high school, Niles West. He recently gave a graduation speech to that school.

His father ran a small business. His mother worked as the director of volunteer services at Chicago's Council for Jewish Elderly. Judge Merrick Garland is an intelligent man. He earned his undergraduate and law degrees from Harvard, clerked for distinguished jurists Henry Friendly and William Brennan. He spent years in public service as a prosecutor at the Department of Justice. He led the investigation of the 1995 Oklahoma City bombing. He served as a judge on the DC Circuit since 1997. Incidentally, he was confirmed by the Senate with a broad bipartisan vote for that position.

Throughout his career, he has won praise from across the political spectrum for his fairness, his brilliance, his work ethic, and his judgment. The American Bar Association took a look at this nominee and said: He is unanimously "well qualified" to serve on the Supreme Court—unanimously. This is a man who has given decades of his life to public service, and the Senate Republicans will not even give him a hearing. They will not give him a moment under oath to answer questions.

The way the Senate Republican majority has handled this Supreme Court vacancy is shameful. Since Justice Antonin Scalia's untimely passing last February, the Supreme Court has had to operate with eight Justices. As

President Ronald Reagan said back in 1987, “Every day that passes with the Supreme Court below full strength impairs the people’s business in that crucially important body.”

During the last Supreme Court term, the Court was unable to reach a final decision on the merits seven times because the Justices were deadlocked 4 to 4. Major legal questions have been left unresolved. On September 26, the Court will hold its first conference of its new term, still with only eight Justices, though the Senate has had plenty of time to fill a vacancy, but the Senate Republicans have refused to do their job.

Unlike any other Senate in the history of the United States, in the history of this country, the Senate Republicans have refused a Presidential nominee to the Supreme Court a fair hearing—any hearing—and a vote. It is shameful. The Senate is now failing under the Constitution to do its job. The Senate Republicans, by design, are responsible.

Judge Garland, the Supreme Court, and the American people deserve better. The Senate should give Merrick Garland a hearing and a vote.

#### ZIKA VIRUS FUNDING

Mr. President, when they write the history of this Republican-controlled Senate, they will surely note that we are a little over 2 weeks away from a deadline, when we were supposed to have a budget and appropriations bills, and we don’t have them.

That has happened before. It is not the first time in recent memory. We have been tied up in knots before, but that is a reality. Despite promises to the contrary, we have not passed an appropriations bill. I might say in fairness, in defense, of the Senate Appropriations Committee and the Republican chairman, THAD COCHRAN, as well as the ranking Democrat, BARBARA MIKULSKI, we did our job.

We held hearings on the important bills. They are ready for consideration on the floor. What has stopped their consideration is the Republican House of Representatives and Senator MCCONNELL. The Republicans in the House just cannot reach an agreement. That is why John Boehner left. That is why PAUL RYAN’s hair is turning gray, trying to deal with a handful of tea party Republicans who would rather see the whole Congress grind to a halt and the government shut down.

So when it comes to passing appropriations and spending bills, there is not much to brag about on the Republican side of the aisle. When it comes to the Zika virus in February, President Obama said: Be careful. We have a public health crisis looming. This mosquito we have discovered can cause extraordinary damage to pregnant women and to the babies they carry.

So he asked us, in February of this year, 7 months ago, he asked us for \$1.8 billion so they could stop the spread of this mosquito virus and start the research for a vaccine to protect every-

one. He said it was an emergency. Obviously, the Senate Republicans did not care. In May, we finally reached an agreement to a reduced amount, \$1.1 billion, passed it out of the Senate. I believe the vote was 89 to 8, a strong bipartisan rollcall.

Many of us breathed a sigh of relief. It was before the mosquito season really got in full force in most of the country. It looked like we were going to respond to the President’s call for emergency funding. Then what happened? It went over to the House of Representatives, and instead of taking the clean, bipartisan bill that passed the Senate, no, they decided they would embellish it with political poison pill riders. Listen to one of them. They said women who were concerned about family planning and their pregnancies because of this issue could not seek family counseling and women’s health care at Planned Parenthood clinics. Two million American women used those clinics last year. The Republicans are now saying: Sorry. As important and popular as they may be, we are going to prohibit any money being spent for women to turn to these clinics for family planning advice because of the Zika virus.

They went further. They took \$500 million out of the Veterans’ Administration that was going to be used to process claims to get rid of the backlog. No, they will take \$500 million away from that and put it into the Zika virus. Then, to add insult to injury, the Republicans in the House insisted on a provision that would allow them to display the Confederate flag at U.S. military cemeteries.

What we had was a simple, straightforward, clean bill to deal with the public health crisis turned into a political grab bag. They sent it over here knowing it would fall and it did, repeatedly.

Now the question is, whether Senator MCCONNELL and Senate Republicans will follow the lead of House Republican Members who are telling them: Enough. Members from Florida—Congressman YOHO, for example—a Republican Member says: Let’s clean up this bill and do something about Zika. Why is he saying that? Because the Centers for Disease Control has done something extraordinary, something I don’t think has ever been done before. They have warned Americans not to travel to parts of the United States, certain sections of Florida, where the Zika mosquito is showing up.

Congressmen from Florida, including Republicans, have said: Enough of the political games. Pass the clean bill funding Zika. Senate Republicans refuse. They will not move forward on it. We are stuck, stuck with the situation that we can cure and should cure on a bipartisan basis.

My colleagues from Louisiana come to tell us about the terrible devastation that has taken place in their State because of the flooding, national disaster, loss of life, damage to property.

It is not the first time we have had a situation this serious—Katrina and others come to mind—but it is a reminder, when it comes to natural disasters or public health disasters, for goodness’ sake, isn’t that where politics should end and people should, on a bipartisan basis, set out to solve a problem instead of create a problem?

So now it is up to Speaker RYAN and it is up to Senator MCCONNELL to show real leadership in the Senate. I know they are not going to back off on these judges. They have dug in real hard on those, but I would hope, when it comes to passing spending bills in a sensible fashion and funding our efforts to stop the spread of this Zika virus, that we will do something meaningful.

They estimate, by the end of this year, one out of four people in Puerto Rico will have been infected by this virus. By the end of next year, it will be closer to 90 percent. It is a serious public health crisis. It is one we need to do something about. Ultimately, we need a vaccine. The Centers for Disease Control announced this week that they brought to a halt their efforts. They have run out of money. Now it is up to Congress. It is up to the Senate. It is up to the Republican leadership.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

#### FILLING THE SUPREME COURT VACANCY

Ms. KLOBUCHAR. Mr. President, I come to the floor once again on the topic of the vacant seat on our Supreme Court. I would also echo Senators DURBIN’s comments about the need to move immediately on the funding on Zika. We of course passed something here that had clear bipartisan support. Now we wait to get this done again and to not politicize this incredible public health threat.

Today I am focusing my remarks on the damage to our system of governance that is being done by leaving a seat open on our Nation’s highest Court. For years, we have seen some fraying of our democracy, the polarization, but the citizens of America have always believed in an independent Supreme Court. We have seen some political creep, as we know, into our judicial selection process. Nonetheless, the citizens of America have respected the rule of law. They continue to do that.

When our Founding Fathers sat down to sketch out the framework of our Nation, they did not issue decrees. No, they set up a system of governance with three equal branches. The Federalist Papers outline this balance of power in detail. Alexander Hamilton once wrote about this balance. He wrote:

The regular distribution of power into distinct departments; the introduction of legislative balances and checks; the institution of courts composed of judges holding their offices during good behavior. . . . They are means, and powerful means, by which the excellences of republican government may be retained and its imperfections lessened or avoided.

Well, that is not going to happen if we have a Court that cannot fully function. We have, in the most recent term, less cases brought up before the Court because we don't have a full composite of Justices. We have had split decisions. Think back in time. What if we only had eight Justices and a 4-to-4 decision on *Bush v. Gore* or in the *Miranda* case or *Brown v. Board of Education*?

Actually, an interesting fact is, the *Brown* decision may not have happened if it were not for the swift filling of a Supreme Court vacancy. Chief Justice Vincent died just before the reargument of the case. By most accounts, the eight-person Court was split on the issue. Had this Senate refused to give Earl Warren a hearing and a vote, we would not have had the decision, but the Senate allowed for a vote and Chief Justice Warren was confirmed, the *Brown* decision was handed down, and our Nation has seen great progress toward equality as a result of that decision.

In fact, the process in the Senate for the last 100 years is that the Judiciary Committee holds hearings. In the few instances where they have not, that is because those nominees were confirmed in 11 days or less. Since 1916, every nominee has been handled in that fashion. Justice Kagan has said the current Justices on the Court are doing everything they can to build a consensus and avoid a 4-to-4 split. While I appreciate that effort, that is just not how it is supposed to work. We want laws to rise or fall because the Supreme Court has decided them, not because of a 4-to-4 split.

Look at the nominee we have. He is someone who has had broad support on both sides of the aisle. Senator HATCH once came before this body and said he challenged everyone to come to the floor to say something negative about Judge Garland. Judge Garland oversaw both the Oklahoma City bombing case and the Unabomber case at nearly the same time. He earned a 76-to-23 vote in this Chamber for his last job, and he is someone who has routinely received positive comments from judges and commentators from the other side of the aisle who basically have acknowledged he is someone who looks for that common ground.

I have no doubt he would excel in his hearing, but right now we are not going to know that.

I just ask my colleagues: What are they afraid of? Are they afraid the citizens of America will be able to see this fine judge and how smart he is or how he answers questions? As my friend Senator ANGUS KING has said, are they afraid they would like him too much?

I do not understand why we simply cannot have a hearing. I had to put myself—I think, well, what would happen if we had a Republican President and a Democratic Senate, what would I do? I have clearly thought this through, as a lawyer and as someone who is a member of the Judiciary Com-

mittee, and know I would say we have to have a hearing because the Constitution says our duty is to advise and consent. It doesn't say advise and consent after a Presidential election or whenever it is convenient. It says advise and consent.

I am hopeful my colleagues are listening to us, that they will find it within themselves to allow this great judge, this great jurist a hearing. I was there in the Rose Garden when President Obama nominated him. I saw him tear up, and I thought to myself, not only is this a monumental moment in his own life, to be nominated for the highest Court of the land, but perhaps he was tearing up because he knew the burden he was carrying, one man, on his shoulders, the burden of carrying forward the American tradition of an independent judiciary, this simple concept that politics isn't supposed to dictate our processes, that our Founding Fathers set out three co-equal branches of government. Our job in the Senate is to make sure the judiciary is funded so it can function, our job is to pass laws they then look at and apply when there are questions about those laws, and our job is to advise and consent on nominees to the Federal judiciary.

So let's get our act together and do our job.

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### TRIBUTE TO PATTY WETTERLING

Ms. KLOBUCHAR. Mr. President, I wish to take just a few minutes to give a brief tribute to someone I know well, Patty Wetterling, and to her family. They are longtime Minnesota residents. Patty and I know each other well. We actually ran against each other for the Senate in 2005, and out of that experience we came to be very good friends.

Patty Wetterling is a woman of unbelievable courage. Her son Jacob was kidnapped at gunpoint 27 years ago. All that time she has kept the hope alive that he would be found. She knew it was a small hope, but, as we know, there have been cases in America where missing children are found 10 years, 20 years later, and that is what she was hoping for.

This past week, those dreams were dashed, as a very evil man came forward to law enforcement—he was already in captivity—and admitted to this crime and brought law enforcement to Jacob's remains.

The story, which I will not put on the record, is a horrific one, but I think the most poignant moment in this horrible story were Jacob's last words, which were: What did I do wrong?

This little boy did nothing wrong. He was an 11-year-old riding his bicycle in his town, in a very rural part of Stearns County, MN, where things are supposed to be safe. Well, they weren't safe that day. The amazing part of this story is not only the memory of this little boy, but it is how for years Patty Wetterling and her family have turned their grief into action.

Understandably, many people try to hang tight to their family. She has done that. She has been a great mom, but she went beyond that. She served on the board of directors of the National Center for Missing and Exploited Children. She has been a nationally recognized educator on child abduction and the sexual exploitation of children. She and her husband cofounded the Jacob Wetterling Resource Center to educate communities about child safety issues and to prevent child exploitation and abduction. She served for more than 7 years as director of the Sexual Violence Prevention Program for the Minnesota Department of Health. She was named one of the "100 Most Influential Minnesotans of the Century" by one of our newspapers.

She has kept this hope alive, but what is amazing about it is, she has saved other lives. A number of bills, legislation—including the sexual predator registration—have come out of the work, better collaboration between local and Federal law enforcement. She has saved so many lives in Jacob's memory.

Senator FRANKEN and I are going to be putting a resolution on the record today on this topic, but I just wanted to take a moment personally to recognize Patty for her strength, her courage, and her grace.

I yield the floor.

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

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that at 1:45 p.m. today the Senate proceed to executive session for the consideration of Calendar No. 685; that 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; that 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.

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

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

REMEMBERING PHYLLIS SCHLAFLY

Mr. CRUZ. Mr. President, I rise to honor the first lady of the conservative movement. On Sunday, surrounded by her loving family, Phyllis Schlafly passed away. Few will ever match Phyllis's conviction and tenacity. She literally stood on the frontlines, fighting against forces that threatened to upend families and sought to undermine the Judeo-Christian values upon which our great Nation was founded.

Without question, Phyllis Schlafly loved America. Her contributions to our country went far beyond her work exposing the illogic of liberalism. Phyllis led the charge to make the Republican Party pro-life and defended the sanctity of marriage. She was a passionate defender of U.S. sovereignty and championed Reagan's policy of "peace through strength" during a crucial time in American history. The women and men of Eagle Forum, which she founded, are incredible patriots and grassroots activists who today, along with all of us, are mourning Phyllis's passing.

Our Nation continues to face many dangers, both foreign and domestic, and we need more individuals, more leaders such as Mrs. Schlafly, who are not afraid to stand and fight for the freedoms so richly bestowed upon us by our Creator. May she rest in peace.

THE INTERNET

Mr. President, today our country faces a threat to the Internet as we know it. In 22 short days, if Congress fails to act, the Obama administration intends to give away control of the Internet to an international body akin to the United Nations.

I rise to discuss the significant, irreparable damage this proposed Internet giveaway could wreak not only on our Nation but on free speech across the world. So today I urge my colleagues on both sides of the aisle to join me, along with Senators LANKFORD and LEE, along with the Presiding Officer and his leadership, along with Congressman SEAN DUFFY to stop the Obama administration from relinquishing U.S. control of the Internet.

Many have stood with us in both Chambers, and we are very grateful for Senators THUNE, GRASSLEY, BURR, COTTON, SASSE, MORAN, SESSIONS, and RUBIO, along with a number of our colleagues in the House, including Congresswoman BLACKBURN and Congressmen DUFFY, BARTON, BRADY, BURGESS, CULBERSON, and FLORES. And I urge even more of my colleagues to come together and stand united to stop the Obama administration's Internet giveaway.

The Internet has been one of those transformational inventions that has changed how we communicate, how we

do commerce, how we live our lives. For many, especially young people, it is hard to even imagine life before the Internet. Look at what the Internet has done. It has created an oasis of freedom for billions around the world.

One of the great problems with someone trying to start a business is what is known as the barrier to entry. What the Internet has done is dramatically reduce the barriers to entry for anyone who wants to be an entrepreneur. If you are a man or a woman or even a boy or a girl somewhere across the country or around the world and you have an idea, a service you want to sell or a good you want to make, you can put up a Web site, and instantly you have international marketing capacity. You have a portal to communicate with people. Anyone can go online and order whatever your good or service is. And between that and FedEx or UPS, you can ship it anywhere in the world. That is an extraordinary and transformational ability.

That freedom of the Internet—that you don't have to go and get anybody's approval; you don't have to go to a board for business authorization if you want to create a new business—is democratizing in that effect. The Internet empowers those with nothing but hope and a dream to be able to achieve those ambitions.

Right now the proposal of the Obama administration to give away control of the Internet poses a significant threat to our freedom, and it is one many Americans don't know about. It is scheduled to go into effect on September 30, 2016—22 days away, just over 3 weeks.

What does it mean to give away control of the Internet? From the very first days of the Internet, when it was developed here in America, the U.S. Government has maintained its core functions to ensure equal access to everyone, with no censorship. The government role isn't to monitor what we say or censor what we say; it is simply to ensure that it works—that when you type in a Web site, it actually goes to that Web site and not somewhere else. Yet that can change.

The Obama administration is, instead, pushing through a radical proposal to take control of Internet domain names and give it to an international organization—ICANN—which includes 162 foreign countries. If that proposal goes through, it will empower countries like Russia, like China, like Iran to be able to censor speech on the Internet—your speech. Countries like Russia and China and Iran are not our friends, and their interests are not our interests.

Imagine searching the Internet and instead of seeing your standard search results, you see a disclaimer that the information you were searching for is censored—that it is not consistent with the standards of this new international body and does not meet their approval. If you are in China, that situation could well come with the threat of ar-

rest for daring to merely search for such a thing that didn't meet the approval of the censors. Thankfully, that doesn't happen in America. But giving control of the Internet to an international body with Russia and China and Iran having power over it could lead to precisely that threat. And it is going to take Congress, acting affirmatively, to stop this.

If we look at the influence of foreign governments within ICANN, it should give us greater and greater concern. For example, ICANN's former CEO, Fadi Chehade, left ICANN to lead a high-level working group for China's World Internet Conference. Mr. Chehade's decision to use his insider knowledge of how ICANN operates to help the Chinese Government and their conference is more than a little concerning. This is the person who was leading ICANN—the body we are being told to trust with our freedoms. Yet this man has gone to work for the China Internet conference, which has rightly been criticized for banning members of the press, such as the New York Times and the Washington Post.

Even reporters we may fundamentally disagree with have a right to report and to say what they believe. Yet the World Internet Conference banned them. They said "We do not want these reporters here," presumably because they don't like what they are saying. That led Reporters Without Borders to demand an international boycott of the conference, calling China the "enemy of the Internet."

If China is the enemy of the Internet, do we want the enemy of the Internet having power over what we are allowed to say, what we are allowed to search for, what we are allowed to read online? Do we want China and Russia and Iran having the power to determine that if a Web site is unacceptable, it is taken down?

I would note that once this transition happens, there are serious indications that ICANN intends to seek to flee U.S. jurisdiction and to flee U.S. laws. Indeed, earlier this summer ICANN held a global conference in Finland in which jurisdiction shopping was part of their agenda—trying to figure out which jurisdiction they should base control of the Internet out of around the globe. A representative of Iran is already on record stating: "[W]e should not take it [for] granted that jurisdiction is already agreed to be totally based on U.S. law."

Our enemies are not hiding what they intend to do. Not only is there a concern of censorship and foreign jurisdiction stripping U.S. law from authority over the Internet, there are also real national security concerns. Congress has received no assurances from the Obama administration that the U.S. Government will continue to have exclusive ownership and control of the dot-gov and dot-mil top-level domains in perpetuity, which are vital to our national security. The Department of Defense, the Army, the Navy, the Air

Force and the Marines all use the dot-mil top-level domain. The White House, the CIA, the FBI, the Department of Homeland Security all use dot-gov.

The only assurance ICANN has provided the Federal Government regarding dot-gov and dot-mil is that ICANN will notify the government in the future if it decides to give dot-gov or dot-mil to another entity. So if someone is going to the IRS—or what you think is the IRS—and your comfort is that it is on a dot-gov Web site so you know it must be safe, you may instead find yourself victim of a foreign scam, a phishing scam or some other means of fraud, with no basic protections.

Congress should not sit by and let this happen. Congress must not sit by and let censorship happen. Some defenders of the Obama proposal say: This is not about censorship; it is about handing control to a multistakeholder unit. They would never dream of censoring content on the Internet.

Well, recently, leading technology companies in the United States—Facebook, YouTube, Twitter, and Microsoft reached an agreement with the European Union to remove “hate speech” from their online platforms within 24 hours. Giant U.S. corporations are signing on with the government to say: We are going to help you censor speech that is deemed unacceptable.

By the way, we have seen that the definition of “hate speech” can be very malleable, depending upon what norms are trying to be enforced. For example, the Human Rights Campaign, which is active within ICANN, has featured the Family Research Institute, the National Corporation for Marriage, the American Center for Law and Justice, and other conservative and religious groups in a report entitled “The Export of Hate.”

We are facing the real possibility of an international body having the ability to censor political speech if it is contrary to the norms they intend to enforce. In their view it is hate to express a view different from whatever prevailing orthodoxy is being enforced.

It is one thing dealing with government organizations that try to stifle speech. That is profoundly inconsistent with who we are as Americans. But to hand over control of the Internet and to potentially muzzle everybody on the Internet is to ensure that what you say is only consistent with whatever is approved by the powers that be, and that ought to frighten everyone.

There is something we can do about that. Along with Congressman SEAN DUFFY in the House, I have introduced the Protecting Internet Freedom Act, which, if enacted, will stop the Internet transition and it will also ensure the U.S. Government keeps exclusive ownership and control of the dot-gov and dot-mil top-level domains. Our legislation is supported by 17 key groups around the country—advocacy groups, consumer groups—and it also has the

formal endorsement of the House Freedom Caucus.

This should be an issue that brings us all together—Republicans, Democrats—all of us coming together. There are partisan issues that divide us. There always will be. We can have Republicans and Democrats argue until the cows come home about the top marginal tax rate, and that is a good and healthy debate to have. But when it comes to the Internet, when it comes to basic principles of freedom—letting people speak online without being censored—that ought to bring every one of us together.

As Members of the legislative branch, Congress should stand united to rein in this President, to protect the constitutional authority expressly given to Congress to control disposition of property of the United States. To put the matter very simply: The Obama administration does not have the authorization of Congress, and yet they are endeavoring to give away this valuable, critical property—to give it away with no authorization of law.

I would note that the government employees doing so are doing so in violation of Federal law, and they risk personal liability in going forward contrary to law. That ought to trouble all of us. Who in their right mind looks at the Internet and says: You know what we need? We need Russia to have more control over this. What is the thought process behind this, and what does it gain? What does it gain? When you look at the Internet, the Internet is working. The Internet works just fine. It lets us speak, it lets us operate, and it lets us engage in commerce. Why would this administration risk giving it up?

Mr. President, when you and I were children, Jimmy Carter gave away the Panama Canal. He gave it away, even though Americans had built it. Americans had died building the Panama Canal, but he nonetheless gave it away. For some reason President Obama seems to want to embody the spirit of Jimmy Carter, and instead of giving away the Panama Canal, he wants to give away the Internet. We shouldn't let him.

The U.S. Constitution prohibits transferring government property to anyone without the authorization of Congress. Article IV, Section 3 of the Constitution explicitly requires congressional authorization.

For several years now, Congress has also prohibited the administration from using any funds to “relinquish” control of the Internet. Yet, in typical lawless fashion, the Department of Commerce has been racing to prepare to relinquish control by September 30—directly violating Federal law and using taxpayer funding to do so. The administration's continued contempt for the law and the Constitution, while, sadly, not surprising anymore, is particularly dangerous here, as it is contempt in service of undermining Internet freedom for billions of people across the world.

With the Federal Government maintaining supervision over ICANN and domain names, it means the First Amendment is protected. Other countries don't have First Amendment protections. Other countries don't protect free speech the way America does. And America does that for the world, protecting free speech on the Internet by preventing the government from engaging in censorship. We shouldn't muck it up.

If the Obama administration jams this through, hands control of the Internet over to this international organization, this United Nations-like unaccountable group, and they take it overseas, it is not like the next President can magically snap his or her fingers and bring it back. Unscrambling those eggs may well not be possible. I suspect that is why the Obama administration is trying to jam it through on September 30—to get it done in a way that the next President can't undo it, that the Internet is lost for generations to come.

To stop the giveaway of our Internet freedom, Congress should act by continuing and by strengthening the appropriations rider in the continuing resolution we will be considering this month and by preventing the Obama administration from giving away control of the Internet.

Next week I will be chairing a hearing on the harms to our freedom that come from the Obama administration's proposal to give away the Internet. President Ronald Reagan stated:

Freedom is never more than one generation away from extinction. We didn't pass it on to our children in the bloodstream. It must be fought for, protected, and handed on for them to do the same, or one day we will spend our sunset years telling our children and our children's children what it was once like in the United States when men were free.

I don't want us to have to tell our children and our children's children what it was once like when the Internet wasn't censored, wasn't in the control of foreign governments. I urge my colleagues on both sides of the aisle to come together, to stand together and ensure that we protect freedom of the Internet for generations to come. It is not too late to act. And I am encouraged by the leadership of Members of both Houses of Congress who stand up and protect the freedom of the Internet going forward.

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

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

ITT TECH AND THE GI BILL

Mr. CARPER. Mr. President, here in this Chamber and in this country of ours, we often talk about the dream of

a college education. A college education opens doors, leads to a higher quality of life. A college education can boost our wages and our incomes. A college education is a first-class ticket to the middle class.

We often talk about the young people in our communities who have made that dream a reality, and they may not have come from much. Their parents saved what they could. In many cases, they are the first in their family to go to college. They took out loans, they worked nights in many cases and on weekends, they hit the books. In many cases, they graduated with honors. They got good-paying jobs. They raised a family, and they planned to send their kids to college too. That is the dream we talk about, but for too many students across our country today, the dream of a college education has turned into a nightmare.

I learned this week that 45,000 college students who were enrolled at a school called ITT Tech awoke and learned that their college was closed—not for a snow day, not for a holiday; ITT Tech closed its doors for good after years of questionable business practices and financial woes. Many of these 45,000 students are living a nightmare this week. They are scrambling to transfer to another school. They are hoping their credits will count elsewhere so they don't have to start over again. They are scrambling to find out if they are eligible for debt forgiveness on their student loans.

I rise today, though, to talk about a particular group of students who have been harmed by the sudden closure of ITT Tech—our Nation's veterans and their families. Until this week, there were nearly 7,000 veterans enrolled at ITT Tech, using the post-9/11 GI bill to help finance their education. As a veteran myself of the Vietnam war, I know what it is to be eligible for the GI bill, which I and my generation were. While it was not as generous as this one today, nonetheless, it was a great lifesaver for me and a lot of other folks with whom I served. But the post-9/11 GI bill, while generous, is a finite benefit. It provides up to 36 months of tuition and housing benefits for veterans as well as members of their family. If the veteran doesn't use their benefit, their spouse can. If their spouse doesn't use the benefit, their dependent children may. It is an incredible benefit. But veteran students at ITT Tech have no recourse to get those GI tuition benefits back to put toward their studies at another college.

The housing allowance that our veterans' families have spent will come to an abrupt halt because they are no longer enrolled in classes. They have been robbed of their time and their hard-earned benefits, and, frankly, taxpayers have been robbed of their tax dollars.

When I think about the men and women who volunteer to serve our country during a time of war, it is unfathomable that this is the position

in which we could leave them—at a defunct college, without a plan to help them get their benefits back, and without a way to pay their rent or their mortgage next month. I think it is shameful. I also think enough is enough. Congress must act to protect our veterans in this instance, as we do in so many others.

I don't believe that all for-profit schools are bad actors. They aren't. Some do a good job. But the poor educational employment outcomes for students across this sector are undeniable. The damage ITT Tech has inflicted upon students and taxpayers is undeniable. Let's take a moment and look at the facts.

ITT Tech is facing lawsuits by the Consumer Financial Protection Bureau, the Securities and Exchange Commission, and multiple State attorneys general for illegal loan schemes, deceiving shareholders, and for deceptive recruiting.

ITT Tech's accreditor recently found that the school "is not in compliance, and is unlikely to become in compliance" with accrediting standards. ITT Tech's closure leaves taxpayers on the hook for a half billion dollars in closed school loan discharges—half a billion dollars.

ITT Tech is one of the top recipients of post-9/11 GI bill dollars since 2009. ITT Tech did not use this massive taxpayer investment to provide a high-quality education to too many veterans. They used it for recruitment, they used those dollars for advertising and ultimately for profit.

ITT Tech failed veterans and taxpayers for years. When they closed their doors this week, they left taxpayers and veterans and their families in the lurch. It is shameful. Again, enough is enough.

The Department of Veterans Affairs must now work closely with the Department of Education to ensure that ITT Tech's student veterans have the resources and guidance they need to transfer and continue their studies at a high-quality institution of higher learning. We in Congress have work to do too. I believe we have a particular responsibility to hold bad actors accountable and increase protection for veterans who plan on enrolling at for-profit schools that are under investigation and heading for bankruptcy.

For-profit schools, such as ITT Tech and Corinthian Colleges, which also suddenly collapsed last year, target veterans for their generous benefits that we as taxpayers provide for them, and those schools exploit something called the 90-10 loophole that allows for-profit schools to be 100 percent reliant on Federal taxpayer dollars—100 percent.

Congress can take meaningful steps to protect veterans and their families, and chief among them would be closing this loophole. The 90-10 loophole has directly led to this ongoing nightmare for the student veterans at Corinthian, at ITT Tech, and at countless other

schools failing to deliver on the promise of a higher quality education.

In conclusion, Congress must act. We must act to restore the dream of a high-quality college education for our Nation's veterans. It is well past time to address this situation. Enough is enough.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. HELLER. Mr. President, I rise today—

Mr. LEAHY. Mr. President, if the Senator will just yield for a moment.

Mr. HELLER. I will yield.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Could the Senator give me some idea how long he will be?

Mr. HELLER. About 5 minutes.

Mr. LEAHY. Mr. President, I thank the Senator.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. HELLER. Mr. President, I rise in support of the Heller-Heinrich amendment No. 4981.

Mr. President, with your experience in the West, you know water is the lifeblood of our economy and culture. Without water, our communities cannot grow. Improving the rural water supply, their security, and economic development all goes hand in hand, which is why I have teamed up with my friend from New Mexico Senator HEINRICH to offer this western water amendment that will help ensure every drop of western water goes as far as it can.

Our amendment simply ensures that the U.S. Army Corps of Engineers implements its western water infrastructure program as Congress intended. It will help advance projects like storm and sewer systems, water treatment plants, and delivery projects in Idaho, Montana, Nevada, New Mexico, Utah, and Wyoming.

It was first established in 1999. This program has been helpful to rural counties surrounded by Federal lands. Increasing the West's water security is essential to the long-term economic competitiveness.

I urge my colleagues to support this important bipartisan western initiative.

Mr. President, I want to change topics and talk about something that is important to all of us; that is, Lake Tahoe. Mark Twain once said: "The Lake had a bewilderingly richness about it that enchanted the eye and held it with the stronger fascination."

Over the past year and a half, I have worked with my good friend from Oklahoma, Environment and Public Works Chairman JIM INHOFE. I thank him for helping advance a longstanding priority of mine—the Lake Tahoe Restoration Act. This is a bill I championed in the House before I came to the Senate, and I am proud to be the lead sponsor of it in the Senate during the 114th Congress.

This bipartisan legislation, which has garnered the unanimous support of Nevada's congressional delegation and my

California colleagues Senators FEINSTEIN and BOXER, is focused on reducing wildlife threats, improving water quality and clarity, improving public land management, and combating invasive species. Specifically, this bill invests \$415 million into the Lake Tahoe Basin over the next 10 years. These important resources will address major issues that threaten the jewel of the Sierra's economic and ecological health. That includes: helping prevent and manage the introduction of the quagga mussel and other harmful invasive species; prioritizing the important fuel reduction projects that prevent catastrophic wildfire; and it advances storm water management and initiatives for transportation solutions that reduce congestion, minimize impact to the lake, and improve outdoor recreational activities.

Collaborative efforts between Nevada and California, like the Lake Tahoe Restoration Act, are prime examples of what can be accomplished when we set our minds toward a common goal. Here in the 114th Congress, the first where I have been the lead sponsor, we are closer to enactment than ever before. The bill has advanced through committee in both the House and Senate for the first time in the same Congress. When it passed the Environment and Public Works Committee, it garnered unanimous support among committee members for the first time. My hope is, when we finish consideration of this bill, the Lake Tahoe Restoration Act will have passed the full Senate for the first time in its legislative history.

Before I conclude, I thank the chairman for his leadership on infrastructure and for teaming up with our delegations to preserve this lake. I am appreciative that the Environment and Public Works Committee moved our bill through the process, both as a standalone bill and part of the water resources bill in the past year.

Like you, I know one of the core constitutional functions the Federal Government is creating is the infrastructure necessary to conduct commerce, trade, and allow for general transportation. Infrastructure development is one of my top priorities in Congress and has been a top priority of this Chamber's majority. It is important to note that we have successfully enacted important policies in this Congress to improve travel and infrastructure across our country but particularly here at Lake Tahoe.

In July, the FAA Extension, Safety, and Security Act was enacted into law. This important legislation implemented important reforms that make U.S. air travel safer, more efficient, critical to Nevada's tourism like Lake Tahoe.

Last year we enacted the first long-term highway bill in nearly a decade—the Fixing America's Surface Transportation Act. It is better known as the FAST Act. This bill is already advancing a variety of important transportation projects across our country. In

fact, I secured a variety of provisions in that bill that will facilitate the development of new and innovative transit, highway, and bridge projects specifically in the Tahoe Basin, as well as a provision aimed at improving pedestrian and cyclist safety. These transportation solutions improve mobility and outdoor recreation at the lake, while reducing the impacts transportation has on water quality and clarity.

Again, this week I stand with Chairman INHOFE to advance yet another important infrastructure bill—the Water Resources Development Act. This bill will strengthen our Nation's infrastructure and mitigates flood risks, improves the route for movement of goods, and invests in aging infrastructure for drinking water and wastewater.

Initiatives such as these are important to maintaining public health, improving water security, and keeping our Nation competitive in the global market. I urge my colleagues to help preserve Lake Tahoe and other cherished places across our Nation so future generations can enjoy these natural sceneries for generations to come. Let's add another major infrastructure win for the 114th Congress—support for the Heller-Heinrich amendment, the Lake Tahoe Restoration Act, and the Water Resources Development Act of 2016.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

#### NOMINATION OF MERRICK GARLAND

Mr. LEAHY. Mr. President, next month, on the first Monday in October, the Supreme Court will begin its new term. The question we have before us as Senators is whether there should be an empty seat on the dais when the Supreme Court convenes.

On the first Monday in October, we have always been accustomed to seeing all nine Justices there. For 7 months, the Court has been missing a Justice, and because of that vacancy, it has been repeatedly unable to serve as the final arbiter of the law. There have been eight Justices. There has been a vacancy most of this year.

The President fulfilled his constitutional duty in nominating somebody. We have failed to do our constitutional duty of advice and consent. The uncertainty in the law has been harmful to businesses, law enforcement, and to families and children across the country. It is a constitutional crisis. Worst of all, this constitutional crisis is wholly of the Senate Republicans' making, and they have the power to stop this constitutional crisis.

In February, the Republican leader claimed, because it was an election year, the Senate would somehow be justified in not doing its job in denying any consideration of the next Supreme Court nominee. Based on my conversations with Vermonters across the political spectrum and in every poll taken on this issue, the American people reject this partisan justification.

There is no election-year exception to Senators doing their jobs, there is no election-year exception to the President doing his job, and there is no election-year exception to the independent judiciary doing its job. Each branch of our government has its duty under the Constitution. The Republican leadership has said the Senate is going to reject its duty. It will damage the function of our Supreme Court. That needs to stop.

Since public confirmation hearings began in the Judiciary Committee for Supreme Court nominees a century ago, the Senate has never denied a nominee a hearing and a vote. The late Justice Scalia received a hearing 42 days after his nomination. Justice Kennedy, who was the last Justice confirmed in a Presidential election year, received a hearing in the Judiciary Committee, which was under the control of Democrats, just 14 days after President Reagan nominated him in a Presidential election year. The Democrats held a hearing in 14 days for this Republican nominee.

Contrast that to Chief Judge Garland's nomination that has been pending for 176 days. It is a totally unprecedented situation, and certainly that unprecedented delay has provided enough time for Senators and their staff to become familiar with his record in preparation for a hearing on debate.

The press may be focused on what might happen in a lameduck session, but this Vermonter is focused on his job now. The time for the Senate to act on the Supreme Court nomination is now. We should have a hearing next week. The Judiciary Committee can debate and consider the nomination the following week, and then the full Senate can debate and vote on his confirmation by the end of September. We have taken far less time in the past to confirm Supreme Court Justices, as the Senate has realized the urgency of having a Court at full strength.

Chief Judge Garland is ideally suited to serve on the Supreme Court on day one. He is currently the chief judge on the DC Circuit, which is also known as the second highest court. He has been a Federal judge for nearly two decades. He has more Federal judicial experience than any Supreme Court nominee in our Nation's history. As a former Federal prosecutor, he has been praised for his work leading the Justice Department's efforts on the ground in Oklahoma City in the days after the worst act of homegrown terrorism in our country's history. Republicans and Democrats alike have recognized Chief Judge Garland as a brilliant, impartial judge with unwavering fidelity to the rule of law. Republicans serving in this body, as well as Democrats in this body, said so when they voted for his confirmation to the DC Circuit.

Republicans should let this Chamber finally get to work on Chief Judge Garland's nomination. Bring the Supreme Court back to full strength in time for

the first oral argument of October. Of all the challenges facing our country, ensuring that our Supreme Court can serve as high as its constitutional function should not be one of them. This is a promise that Senate Republicans are making, but it is one they could easily solve this month.

Let's do our job. We took an oath to uphold the Constitution. Let's show that when we raised our hand to swear to uphold the Constitution, we really meant it. The President fulfilled his oath; it is time for us to do our job and fulfill ours.

I see my friend on the floor seeking recognition.

I yield the floor.

The PRESIDING OFFICER (Mrs. FISCHER). The Senator from Oklahoma.

Mr. INHOFE. Madam President, we have a couple of votes coming up that are very significant, and the occupier of the chair is fully aware of it, having served on the committee that has worked on this legislation.

I have to say one thing about the stuff we crank out of our Environment and Public Works Committee, and that is that it has been pretty significant. We had the FAST Act, the first highway reauthorization bill in 17 years, which was a major one. Then we did the chemical bill, which was great, and now we are going to do the WRDA bill. One of the things that is interesting about it is the number of ports we are talking about. I often prided Tulsa as being the most inland port; however, it could conceivably be that Omaha may be giving us competition. Nonetheless, it gives you an idea of the significance of this legislation.

Yesterday I talked about what would happen if this legislation doesn't become a law this year. If that happens, 29 navigation, flood control, and environmental restoration projects will not happen. There will be no new Corps reforms to let sponsors improve infrastructure at their own expense. There will be no FEMA assistance to States to rehabilitate unsafe dams. There will be no reforms to help communities address clean and safe drinking water infrastructures, which is a serious problem in my State of Oklahoma. There will be no deal on the coal ash, which has plagued the coal utilities for years with lawsuits. Finally, we have a very difficult issue that we have dealt with to most people's satisfaction, and so we want to get this done in fast order, and today is a very important day in accomplishing that.

Here are some other reasons why the bill is so important. The bill gets us back to every 2 years. At one time when the first WRDA came out—and I was there when it happened—we were supposed to have a Water, Resources, and Development Act every 2 years, but then we started slipping. During the last 8 years, prior to our coming back as a majority, we really didn't address this issue. This puts us back into our schedule of doing it every 2 years. These reforms can't wait any longer.

Secondly, we have recently been reminded several times of the need for Corps projects. We saw the algae wash up on the beaches in Florida this summer. The project that will fix Lake Okeechobee and prevent this problem in the future is in WRDA 2016.

I generally don't like everglades projects. In fact, I can remember—it wasn't that many years ago—when I was the only one voting against the Everglades Restoration Act. However, let's keep in mind that at that time there was not a chief report on it, and now that there is, we have something very significant that does affect that.

This chart shows the algae blooms in St. Lucie, FL. This is a picture of the algae blooms, which were caused by deteriorating water conditions. Not only are these blooms environmentally hazardous, but they are also economically debilitating to the communities living along south Florida's working coastline. Communities along the coast depend on clean, fresh waterflows to draw in tourism. As these blooms spread along the coast, economic development is negatively impacted. If we don't authorize the Central Everglades Planning Project, those communities will cease to exist.

We also saw historic flooding in Baton Rouge, LA. There are two ongoing Corps projects that could have prevented much of the damage that we saw last month. WRDA 2016 directs the Corps to expedite the completion of these projects.

This chart shows the Baton Rouge, LA, flooding. We can no longer use the "fix as it falls approach" as America's flood protection. It is not about economic losses that communities face after a devastating flood; it is about loss of human lives. We are talking about human lives, and not acting is just not an option.

Last year there were several collisions in the Houston Ship Channel because of the design deficiency. The channel is too narrow, and the Coast Guard has declared it to be a precautionary zone. This chart shows the Houston Ship Channel collision that happened in 2015. Without this bill, the navigation safety project to correct this issue will not move forward.

The Corps of Engineers projects that these projects help generate \$109 billion in annual economic development and generate \$32 billion in revenue for the U.S. Treasury. Few understand the economic benefits associated with WRDA. As I noted yesterday, expansion of the Panama Canal is complete, now allowing the larger—I think they call them the post-Panamax boats—to pass through the canal. Look at the comparison of the two vessels. This is what they can use today, and that is what is happening now.

This chart shows the pre- and post-Panamax ships. By not passing this bill, many of the important deepening projects for our nations will go unfunded, making it difficult for them to accommodate new Panamax shipping vessels.

One port that I pointed out yesterday was Charleston, SC. They have a 45-foot channel. With this bill, they will now be able to get to the 50- to 51-foot channel range that is necessary for this ship to be able to come in. The alternative to that is going somewhere in the Caribbean so they can break down these loads and put them on smaller ships. That increases the costs dramatically, and we are not going to allow that to happen.

The investments in drinking water and other investments are important, but let's not forget the fact that there are ports we can't use right now because they can't accommodate the big ships. The investments in drinking water and wastewater infrastructure will benefit both public health and our economy. Earlier I mentioned that this is really significant for my State of Oklahoma. We have States that are not wealthy States and are primarily rural areas, and the unfunded mandates that come in are just unbearable. I say this from experience. I used to be mayor of a major city, Tulsa, OK, for a number of years. At that time our biggest problem was unfunded mandates, and that is what we are separating from today. We can pretty much correct that with the changes we are making in our WRDA bill.

A recent study by the Water Environment Federation shows, just as this chart shows, that for every million dollars of Federal spending on drinking water and clean water infrastructure, we get \$2.95 million in economic output for the U.S. economy. Due to the ripple effect through the economy, these investments will result in new Federal tax revenues nearly equal to infrastructure investments. That is why we need to pass the WRDA bill now, and we have it in front of us today. It is a bill that will help protect America's working people and has major economic benefits.

The main reason I wanted to come to the floor—this is the second time that we have made this. It is not a mandate. It is just that the managers of this bill—that is Senator BOXER from California, the leadership, and I—all agree that in order to finally get people to bring their amendments to the floor, we need to have a deadline, which will be noon tomorrow. We ask that you get your amendments down here this afternoon. We are talking about amendments to the managers' package. We will not be able to consider those not in our package. That doesn't mean we are shutting them off because next week we will have the opportunity to present some, but if you want to have them seriously considered, they need to be in our package. This should come as no surprise, as our committee had asked for any and all amendments in July, prior to the August recess, in preparation for consideration in September. Last week, the Inhofe-Boxer substitute to S. 2848 was circulated, and our office stands ready to assist in any technical capacity in answering questions.

I have to say that Senator BOXER and I have worked very closely together. There are a lot of amendments that have come up and have been discussed. Some have been accepted, and others are being considered. Some are popular with Democrats but not Republicans, and the reverse is also true. This is our opportunity to do it.

If Members are unable to make the noon deadline tomorrow for our managers' package, we will still work to ensure that all amendments receive equal consideration as we work to clear as many amendments as possible and work to move amendments in regular order prior to the amendment-filing deadline for the underlying bill next week.

We have the opportunity to do this. We are now operating on deadlines. It has been my experience in the Senate that until you have a deadline where you have to do it, people, generally speaking, find other things to do. We are going to hold their feet to the fire this time. Let's try to get this through.

Let me just comment on Senator BOXER. We have worked on so many bills that are very meaningful to the American people. I can remember when they said on our side that we were not going to have a 5-year massive highway reauthorization bill. Yet I tried to explain to my conservative friends that that is the conservative approach because the only alternative to that is extensions. If you have extensions, that doesn't work at all.

We have worked very well together on that legislation, and of course we also were able to work on our chemical bill and do that, and now we are going to get this done next week.

I wish to yield to Senator BOXER and then retake the floor for the motions that will be necessary.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Madam President, I say to my colleague that I will speak for 30 seconds because I said a lot yesterday, and I agree with the Senator's analysis of how important this bill is. I certainly agree that we have shown this body that we can overcome our differences and bring important bills to the floor. This one is critical. My friend has gone into it in great detail. We are talking about clean drinking water, navigation, the economy, and how we need to move products in ports and so on. It just covers the gamut of issues that are so important. I think we have done it in a way that is fiscally responsible.

I am here to again associate myself with your remarks and also to call on my side if anybody has amendments. I don't think our side has any more than the few that we have already started to work on. Look, we are trying to get this done quickly and trying to accommodate everybody. I think most people agree that if Senator INHOFE and I can agree on something, then it is pretty much not controversial. I am here to lend my eye to the voice votes we are

about to take, so I turn it back over to the chairman.

Mr. INHOFE. I think Senator BOXER's side has done a better job of getting their amendments in than our side. In talking to her and the leader over there, the Democratic side is down to about seven amendments that are being considered.

I encourage our Republicans to do the same thing and get this thing done so we can make it happen.

I take this opportunity to thank the Senator from California for the hard work we have done together.

AMENDMENT NOS. 4981 AND 4991 EN BLOC TO  
AMENDMENT NO. 4979

Madam President, I ask unanimous consent that the following amendments be called up en bloc: Heller No. 4981 and Merkley No. 4991.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. INHOFE], for others, proposes amendments numbered 4981 and 4991 to amendment No. 4979.

The amendments are as follows:

AMENDMENT NO. 4981

(Purpose: To ensure the proper implementation of the rural Western water program)

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_ RURAL WESTERN WATER.**

Section 595 of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 383; 128 Stat. 1316) is amended—

(1) by redesignating subsection (h) as subsection (i);

(2) by inserting after subsection (g) the following:

“(h) ELIGIBILITY.—

“(1) IN GENERAL.—Assistance under this section shall be made available to all eligible States and locales described in subsection (b) consistent with program priorities determined by the Secretary in accordance with criteria developed by the Secretary to establish the program priorities, with priority given to projects in any applicable State that—

“(A) execute new or amended project cooperation agreements; and

“(B) commence promptly after the date of enactment of the Water Resources Development Act of 2016.

“(2) RURAL PROJECTS.—The Secretary shall consider a rural project authorized under this section and environmental infrastructure projects authorized under section 219 of the Water Resources Development Act of 1992 (Public Law 102-580; 106 Stat. 4835) for new starts on the same basis as any other program funded from the construction account.”; and

(3) in subsection (i) (as redesignated by paragraph (1)), by striking “which shall—,” and all that follows through “remain” and inserting “to remain”.

AMENDMENT NO. 4991

(Purpose: To provide loan forgiveness under Clean Water State Revolving Funds to local irrigation districts)

At the end of subtitle B of title VII, add the following:

**SEC. 7206. LOAN FORGIVENESS FOR LOCAL IRRIGATION DISTRICTS.**

Subsection (j)(1) of section 603 of the Federal Water Pollution Control Act (33 U.S.C.

1383) (as redesignated by section 7202(b)(1)(A)(ii)) is amended—

(1) in the matter preceding subparagraph (A), by striking “to a municipality or an intermunicipal, interstate, or State agency” and inserting “to an eligible recipient”; and

(2) in subparagraph (A), in the matter preceding clause (i), by inserting “in assistance to a municipality or intermunicipal, interstate, or State agency” before “to benefit”.

Mr. INHOFE. Madam President, I ask unanimous consent that the Senate now vote on these amendment en bloc.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. INHOFE. I know of no further debate on these amendments.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the amendments en bloc.

The amendments (Nos. 4981 and 4991) were agreed to.

The PRESIDING OFFICER. The Senator from Arizona.

OBAMACARE

Mr. MCCAIN. Madam President, over the last few weeks, my home State of Arizona has been thrust into the national spotlight. I wish I could say it is because of the success of our sports teams or the strength of our universities. Instead, it is because Arizona has become ground zero for the collapse of ObamaCare, leaving most of our citizens with limited choices and higher costs when it comes to the President's signature health care law, which is a law that I fought against for weeks on end and which the then-majority on the other side of the aisle, with 60 votes and without a single Republican vote and without a single Republican amendment, passed into law.

In 2009 the President said: “[I]f you've got health insurance, you like your doctor, you like your plan—you can keep your doctor, you can keep your plan. Nobody is talking about taking that away from you.”

Let me repeat the words of the President of the United States after, on a strict party-line basis, he passed ObamaCare: “[I]f you've got health insurance, you like your doctor, you like your plan—you can keep your doctor, you can keep your plan. Nobody is talking about taking that away from you.”

That is a quote from the President of the United States when ObamaCare was passed. He also said that if you like your health insurance policy, you can keep your policy, period, in his own inimitable style.

Ever since the passage of ObamaCare, Americans have been hit by broken promise after broken promise and met with higher costs, fewer choices, and poor quality of care.

Let me read just a few of the most recent headlines addressing the collapse of ObamaCare in Arizona.

Madam President, I ask unanimous consent that relevant articles be printed in today's RECORD.

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

[From politico.com, Aug. 22, 2016]

THE COUNTY OBAMACARE FORGOT  
(By Rachana Pradhan)

An Arizona county is poised to become an Obamacare ghost town because no insurer wants to sell exchange plans there.

Aetna's recent announcement that it would exit most of the states where it offers Obamacare plans leaves residents of Pinal County, Arizona, without any options to get subsidized health coverage next year, unless regulators scramble to find a carrier to fill the void between now and early October.

About 9,700 people in Pinal signed up for Obamacare plans this year, according to administration data.

The predicament of Pinal County is an extreme example of the contraction of insurers in the Obamacare markets expected in 2017. The federal health care law was supposed to offer a range of affordable health care plans through competition among private insurers. But that competition has dramatically declined in some states, as a result of pull-backs by national insurers and failed co-op plans. Decline in competition means fewer choices and, often, higher prices for consumers.

Nearly 1 in 5 potential Obamacare customers may have just one insurer selling plans in their communities—up from just 2 percent of customers who had one option this year, according to the McKinsey Center for U.S. Health System Reform.

But in Pinal County, a rural community within the Phoenix metropolitan area, many may lose health care coverage altogether.

"If you have a several-hundred-dollar-a-month subsidy available and you lose that, that's going to be huge," said Thomas Schryer, director of the Pinal County Public Health Services District.

He predicted that many Pinal residents would be unable to afford more costly insurance plans outside the Obamacare marketplace and were likely to roll the dice and go without coverage—something that will be far more risky for those with chronic health problems or who are in the middle of treatments.

Arizona's Obamacare marketplace had previously offered plans sold by national insurers like UnitedHealth Group and Humana, as well as by a nonprofit co-op plan seeded with Obamacare loans. But the co-op collapsed, and United and Humana, like Aetna, are leaving the exchange. Other companies, like Blue Cross Blue Shield of Arizona, are scaling back their presence.

"It's a dramatic case of a more general thing: There are weaker markets that are going to be less attractive for carriers," said Katherine Hempstead of the Robert Wood Johnson Foundation.

It isn't entirely clear why insurers are fleeing this particular county, which had about an 18 percent poverty rate in 2014—higher than the roughly 15 percent for the country as a whole but not extreme. Median household income was around \$50,250, according to the Census.

Yet there are higher rates of adult obesity, physical inactivity and teen births in Pinal County compared with statewide figures, according to data from the Robert Wood Johnson Foundation. A shortage of health providers is also acute, with only one primary care doctor for every 6,700 people.

"The reason why it's empty is because nobody wants to be there," one insurance industry source said of Pinal County. "The only thing a [regulator] can do is beg."

Although Pinal experienced a population boom in the 2000s, it doesn't have much of an economic base, so most people work and likely receive their health care in nearby Phoenix, according to Arizona State University professor Tom Rex.

"The health care infrastructure often takes many years to catch up with the population," said Schryer.

Begging on behalf of Obamacare can be politically problematic in a red state like Arizona, where Obamacare has been a prominent feature of at least one reelection campaign in the current cycle. Sen. John McCain has made it a centerpiece of his bid for another term.

Such was the case in Mississippi in 2013, when state Insurance Commissioner Mike Chaney had to convince an insurer to offer plans in 36 counties that had no options ahead of the first open enrollment period. Chaney said federal regulators helped the state because it was "very unpopular" for a Republican to help recruit someone to cover the entire state. Humana eventually agreed to sell on the exchange in those counties, and it's still there.

"What we're having to do now to keep companies in our state to cover all of the counties is to grant some pretty heavy rate increases," Chaney said in a recent interview.

Health policy experts say that Blue Cross Blue Shield of Arizona would be the most likely to sell plans in Pinal if regulators can coax it back. The company had offered plans in the county this year but decided to drop its offerings there, as well as in neighboring Maricopa County, where Phoenix is located, according to its 2017 rate filings.

The company has said that in light of Aetna's exit, it is re-evaluating where it will offer plans next year. But an agreement to return would likely come at a price. BCBS of Arizona had initially requested a rate increase of 65 percent on average for individual plans, when Maricopa and Pinal counties were part of its filing. When it dropped those counties, the company revised its proposed increase to 51 percent.

Aetna initially submitted an 18 percent rate increase for its individual plans on the exchange. It later jacked up its requested rate increase to 86 percent, before pulling out entirely.

Trish Riley, executive director of the National Academy for State Health Policy, said regulators have discretion in setting coverage rules but few things can be done quickly. Agreeing to look at rates again would offer an incentive to insurers to participate, she said.

"What are your options?" she said of state regulators. "Disenfranchised consumers are going to sue you. People aren't going to get coverage. Those aren't good options."

In the long term, Riley said the recent spate of insurance company exits should spur a broader conversation about strategies to stabilize the exchanges.

"I think this is a wake-up call," she said.

But state Insurance Department spokesman Stephen Briggs offered a different perspective, saying regulators "are not scrambling" to find another company. He also dismissed the notion that regulators might grant higher rate increases to an insurer if it agreed to serve Pinal. He said the department is still reviewing plan rates for 2017 and final rates would be released in September.

"The decision to really offer a product is a business decision that the company still has the right to make," he said.

[From The Republic, Aug. 26, 2016]

ARIZONA CONSUMERS FRET AS 'OBAMACARE'  
INSURANCE OPTIONS DWINDLE

(By Ken Altucker)

For many who buy their own health insurance, next year is shaping up to be a challenging and financially painful year.

Six major health insurers that sell plans directly to consumers are bowing out or scal-

ing back on the Affordable Care Act marketplace in Arizona.

Only two marketplace insurers will remain in Arizona's largest county, Maricopa County, and the exodus has left Pinal County without a single insurer willing to offer a marketplace option next year to the nearly 10,000 people now enrolled.

Federal and state officials caution that things could change between now and Nov. 1, the scheduled start of the three-month enrollment period. They cite regulatory efforts to woo at least one Pinal County insurance provider.

Arizona Department of Insurance officials do not expect to finalize the list of insurers until mid- to late September, said department spokesman Stephen Briggs. The state agency, which regulates the insurance market in Arizona, can't say for certain at this point which plans will be available during enrollment.

But six insurance companies already have announced plans or disclosed in state filings their intention to drop out or scale back marketplace coverage in 2017. Aetna, Health Choice Insurance Co., Humana and UnitedHealth Group will discontinue marketplace plans in Arizona. Health Net will offer plans only in Pima County next year, according to state Department of Insurance filings.

Blue Cross Blue Shield of Arizona, Arizona's health insurance mainstay, announced in June that steep financial losses had prompted it to stop selling marketplace plans in Maricopa and Pinal counties starting next year. The company had offered plans in every county since the Affordable Care Act marketplace launched in 2014.

However, Blue Cross Blue Shield has since said it is reconsidering in the wake of Aetna's exit.

The trickle of insurers exiting—and rate-hike requests of as much as 122 percent for remaining insurers—is making consumers nervous. Some are taking step to prepare for what they fear could be delayed care and long trips to doctors' offices and hospitals.

'YOU'LL NEVER SEE A DOCTOR'

Claburn Niven Jones, who owns a home in Scottsdale and a condo in the San Francisco Bay area, said the insurance shakeout has prompted him to take steps to relocate to California. The reason? The 63-year-old cancer patient doesn't think that there will be enough insurance and health-provider options for Maricopa County residents next year.

Diagnosed with prostate and thyroid cancers, Jones envisions long waits for specialists with crowded appointment calendars.

He doesn't want to take that chance.

Enrollment figures show that more than 126,000 Maricopa County residents selected marketplace health plans offered by eight insurance companies as of Feb. 1. Those marketplace customers who seek to continue coverage will have only two options left by Jan. 1, 2017—Phoenix Health Plans Inc. and Cigna.

"If you add them all up and throw them into a network, you'll never see a doctor," said Jones, a retired certified public accountant. "It's going to be a health care disaster for the people of Phoenix."

Neither Phoenix Health Plans nor Cigna are willing to discuss proposed provider networks until state and federal insurance regulators sign off on their plans for next year.

Briggs said the state insurance department uses formulas to make sure there are enough doctors, labs and hospitals to handle the projected number of customers.

He acknowledged that the remaining insurers could face heavier customer loads after so many other insurers have dropped out or scaled back.

“They do have to demonstrate their ability to—or lack thereof—to handle the (customers) in their network,” Briggs said.

Jones has an insurance plan through a unit of UnitedHealth Group that will expire Dec. 31. UnitedHealth won't offer an individual plan next year in Maricopa County.

Jones said he began investigating other marketplace options even though he does not qualify for subsidized ACA coverage.

He believes both Cigna and Phoenix Health Plans will be inundated with marketplace customers, and he said he can't wait until Nov. 1 to find detailed information on the insurers' networks of doctors and hospitals.

He will undergo proton radiation treatment this fall for his prostate cancer. He also needs regular appointments with an endocrinologist to monitor his thyroid cancer, which requires periodic scans following an earlier surgery.

Jones said he is preparing to establish full-time residency in California, where he owns a condominium in San Mateo.

We moved to Arizona for a quality of life and (lower) expense,” said Niven. “I can't get insurance, so I will have to leave.”

Other Arizonans, too, are worried that Maricopa County's narrowing options could pose challenges.

North Scottsdale resident Jane Vesely, 62, has a Blue Cross Blue Shield plan that will expire at the end of this year. She wants a marketplace plan, but she worries that neither Cigna nor Phoenix Health Plans will provide an in-network hospital near her house.

Cigna's current marketplace plans this year use its Connect network, which includes Banner Health hospitals and some specialty hospitals. The network does not include HonorHealth's Scottsdale hospitals closest to Vesely's home.

The other marketplace plan, Phoenix Health Plans, is owned by the for-profit hospital chain Tenet Healthcare. It also does not contract with Scottsdale-based HonorHealth.

It's unclear if the Department of Insurance will ask the two plans to expand their existing networks.

Vesely long had access to hospitals, doctors and specialists near her home through her husband's employer-provided health plan. Her husband retired in 2014 and is on Medicare. She has to wait more than two years before she's eligible for the federal health program for those 65 and older.

“The exchange was healthy (in 2014) and we made the decision that I don't really have to go back to work,” said Vesely. Now she may need to get a job that offers health insurance due to the fraying marketplace.

“I have a feeling there are a lot of people like me who may be in a similar position,” she said.

#### FEDS SAY MARKETPLACE PLANS REMAIN AFFORDABLE FOR MOST

The U.S. Department of Health and Human Services released a report Wednesday highlighting the affordability of marketplace plans for most people. Even if insurers raised rates by an average of 50 percent, 72 percent of Arizonans could buy health coverage next year for \$100 or less each month, after tax credit subsidies are calculated, the report said.

Tax credits are an Affordable Care Act tool used to offset the cost of monthly premiums for individuals who earn between 138 percent to 400 percent of the federal poverty level. More than 124,000 Arizonans who were enrolled in a plan as of March 31 had received a tax credit. But another 55,000-plus residents paid the full amount for marketplace plans, and they could face significant rate hikes next year.

Phoenix Health Plans will seek to raise rates on marketplace plans by an average of 122 percent, while Cigna has requested a 19 percent increase. Blue Cross Blue Shield, expected to be the only marketplace option in most rural Arizona counties, is seeking an average rate increase of 51 percent.

The Department of Insurance is reviewing the proposed rate increases. However, it does not have the authority under state law to reject a rate increase. The state's review can only determine whether an insurer's rate change is reasonable or unreasonable.

In the past, insurers have agreed to modify rate requests that state regulators determined were unreasonable. There's no guarantee that insurers will do that this year, particularly with a majority of Arizona counties expected to have only one marketplace insurer.

“Even if we go back to a provider to say, ‘You haven't demonstrated or justified the increase,’ they can say, ‘Well, we appreciate that. This is what we think we have to charge in order to not go bankrupt,’” Briggs said.

While the HHS report emphasized the affordability of plans for those who qualify for health subsidies, it did not address the narrowing of health-care options in Arizona and other states.

Ben Wakana, HHS' deputy assistant secretary for public affairs, said it's important to look at how the federal health law has transformed the insurance market.

“Four years ago, companies in the individual market relied on a business model of largely denying coverage to people with pre-existing conditions,” Wakana said.

He noted that the federal health-care law now forbids marketplace insurers from denying coverage to the sick, and most people can buy coverage at subsidized rates, he said.

“It has helped to get this country to the lowest uninsured rate on record,” he said.

[From Cronkite News, Aug. 10, 2016]

#### OBAMACARE CONSUMERS FACE HIGHER COSTS IN FALL

(By Keshia Butts)

WASHINGTON.—When it comes to Obamacare in Arizona, not much is certain, but this much is: Coverage will still be available, but it will cost more.

Five insurance companies that had offered coverage in the Affordable Care Act marketplace have told state regulators that they will opt out or scale back coverage when the next open season for Affordable Care Act coverage begins Nov. 1.

There will still be coverage, but with fewer providers experts say costs will likely go up “much higher in 2017 than they had in the past couple of years.”

A national estimate by the Kaiser Family Foundation predicts that premiums for one of the lower-costs plans could rise as much as 9 percent next year, compared to 2 percent this year. In Arizona, those higher premiums could hit more than 100,000 people.

“The general trend is, as premiums are going up they are going up faster than certainly consumers would like and even supporters of the law expected or hoped,” said Michael Cannon, the director of health policy studies at the Cato Institute.

Insurance companies had until Tuesday to let state regulators, and their customers, know whether they will still be offering coverage at all or scaling back plans when the next open enrollment period under the Affordable Care Act begins on Nov. 1.

As of last week, five companies in Arizona had announced plans to pull out or pull back: Health Choice, United Healthcare, Humana, Blue Cross Blue Shield of Arizona and Health Net.

For the insurers, it's a business decision: They are losing money on the policies they have offered in previous rounds of the Affordable Care Act, better known as Obamacare.

Jeff Stelnik, senior vice president of Blue Cross Blue Shield of Arizona, said the company lost \$185 million on ACA plans in two years and expects to continue to see losses. “Our focus will be on our customers and finding the best way for them,” Stelnik said.

Health Choice opted out of the Arizona marketplace for similar reasons, said Laura Waugh, the director of marketing and communications there.

“The business and regulatory uncertainties that exist at this time with respect to the federal health insurance marketplace significantly impacted our decision to discontinue our marketplace product offerings,” Waugh said in an emailed statement.

The shifting marketplace was not unexpected, as it is still a relatively new market, said Allen Gjernsvig, director of navigator and enrollment services at the Arizona Alliance for Community Health Centers. But he said he also expects “as we go forward for some companies to expand coverage.”

In the meantime, people looking for coverage in the next round of Obamacare, which runs from Nov. 1 to Jan. 31, should still have plenty of plans to choose from, analysts said.

“In the key population areas of Arizona there is still going to be significant competition so that people can choose among a variety of plans, and that's going to be very helpful to them,” said Ron Pollack, executive director of Families USA.

But they should brace for higher costs. “What we are seeing so far is that premiums are going up much higher in 2017 than they had in the past couple of years,” said Cynthia Cox, associate director of health reform and private insurance at Kaiser Family Foundation.

Cato's Cannon said there are several reasons why premium prices are rising.

“It requires people to buy more coverage than they did otherwise and it prevents insurance companies from saying no to people who have pre-existing conditions,” Cannon said of Obamacare. “And then it encourages those with expensive illnesses to sign up for the most comprehensive plans.”

But Pollack said that while premium prices will increase, so will the federal subsidies many consumers get to help them pay for their coverage.

“Even if somebody's premiums are somewhat higher than they were before, their subsidies will be somewhat higher than they were before and the ultimate thing that a consumer cares about is how much do I have to pay out of pocket,” Pollack said.

Mr. MCCAIN, Phoenix Business Journal, September 2, 2016: “Phoenix Health Plan dumps Obamacare Exchange, leaves Cigna as sole carrier in Maricopa County.”

The Arizona Republic, August 17, 2016: “Pinal County left with no ACA options as Aetna exits Arizona.”

Politico, August 22, 2016: “The county Obama forgot.”

USA TODAY, August 30, 2016: “Health Care Choices Choked Further.”

Havasu News, August 10, 2016: “Obamacare consumers face higher costs in fall.”

TIME, August 25, 2016: “Aetna Has Revealed Obamacare's Many Broken Promises.”

The Arizona Republic, August 26, 2016: “Arizona consumers fret as ‘Obamacare’ insurance options dwindle.”

The Arizona Republic, June 14, 2016: "Insurers seek rate hikes for ACA plans."

Come November 1, this will be the reality for hundreds of thousands of hard-working Arizonans currently enrolled in ObamaCare. Already, UnitedHealth, Humana, Health Choice Insurance Co., Aetna, and now Phoenix Health Plan have all announced they are exiting Arizona's marketplace.

Up until late last night, Arizona had the dubious distinction of being home to the only county in America without a single health insurance provider offering plans in 2017. While I am pleased that Blue Cross Blue Shield of Arizona decided to step in to save Pinal County from having no choices in the Federal marketplace, there is no reason to believe this is an economically viable or sustainable end result. The fact remains that this is a far cry from what President Obama promised before and after signing his signature health care reform bill into law.

The mass exodus of health insurers from the ObamaCare marketplace should come as no surprise to anyone. Over the last few years, these providers have reported massive financial losses as a result of their participation in the Federal exchanges. UnitedHealth, for example, recently projected to lose well over \$1 billion as a result of the poorly constructed ObamaCare marketplace. For the insurers who continue to participate in the exchanges, their only option is to raise premium rates astronomically high in order to cover their losses. In fact, one of the insurers in Arizona, in Maricopa County, said they are going to ask for a 65-percent rate increase. Copays are going up into the thousands of dollars.

What is clear is that ObamaCare is crumbling and Arizonans are being left to pick up the pieces.

Let me direct the attention of my colleagues to this map. As we can see, as it stands today, 14 of Arizona's 15 counties will have a single—that is one—a single health insurer to shop for coverage when open enrollment begins on November 1. That includes Maricopa County, Arizona's most populous county, impacting more than 120,000 of my fellow citizens. This is down from the eight health insurance options Maricopa County residents had in 2016. Let me repeat that. In 2016, they had eight health insurers to choose from. Guess what they are going to have in 2017. One, along with every other county in Arizona, with one exception that will have two. As we can see, none have three. Up until yesterday, Pinal County was in the red. Worse still, of those 14 counties, 13 Arizona counties will see their premiums increase on average by 51 percent. Thirteen of these counties will see their premiums increase on average by 51 percent. For some families, this could mean thousands of dollars per month out of their paychecks. I doubt that their standard of living and their pay has increased sufficiently to cover a 51-percent increase in their premiums.

That is why Cynthia Cox, associate director of health reform and private insurance at the Kaiser Family Foundation, recently stated:

In most other parts of the country, large cities like Phoenix have multiple insurers participating in them. Arizona is by far the most affected state when it comes to these exits.

For a law that President Obama said would bring "[more] choice, more competition [and] real health care security," ObamaCare has delivered nothing more than empty promises.

Today, thousands of my fellow citizens are asking "What happens if the only plan being offered in my county doesn't cover my current doctor or the coverage is insufficient for my family's needs?" or "Should I purchase health insurance at all, given all the upheaval in the market?"

Well, when crafting this law, President Obama and congressional Democrats thought it would be a good idea to penalize those people who don't enroll by forcing them to pay a fine—to pay a fine if they didn't enroll. Put simply, if you don't enroll, you pay a fine. If there is a monopoly in a given county with no competition, you are penalized.

Being forced to choose between a much more expensive plan and paying a fine is unconscionable. In other words, they have two choices: not accepting the one plan or paying a fine. That is unconscionable. That is why yesterday I joined Senators COTTON, SASSE, FLAKE, JOHNSON, and BARRASSO in introducing legislation that would protect individuals living in a county with no competition in the Federal marketplace from having to pay a penalty. These Americans should not be forced to bear the burdens of a health care system that was fatally flawed from conception.

The collapse of ObamaCare in Arizona and across the country confirms what Republicans have warned about all along: Government-mandated health care is unsustainable. Now that the law is unraveling, it is no surprise that Democrats are clamoring for a so-called "public option" that is nothing more than government-run health care. If anything is clear about this failed law, it is that more government intervention is the wrong solution to fixing our health care system.

This failed law will only continue to place undue burdens on Arizona families unless we repeal and replace ObamaCare with real reform that encourages competition and empowers patients to make their own health care decisions.

I will continue to push for this bill with Senator PERDUE that would do just that—replace ObamaCare with commonsense solutions that empower patients and doctors, not the government, to take back control of their health care. Until then, hard-working Americans will continue to bear the consequences of a failed ObamaCare.

Madam President, I ask unanimous consent to engage in a colloquy with the Senator from Wyoming.

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

Mr. MCCAIN. I see my friend Dr. BARRASSO. I would ask Dr. BARRASSO, what happens to average citizens when, as is the case in my State, all but one county only have one option, one health care provider? What happens then?

Mr. BARRASSO. Well, it is so interesting that the Senator would bring this up because the entire State of Wyoming has found itself in exactly the same situation where there is only one choice. Remember, the President promised a marketplace. What the American people have gotten is a monopoly. In one-third of all the counties in the country, they are down to a single—and it is not really a choice; it is a take-it-or-leave-it situation. I call all of these places falling into what is called the "ObamaCare wasteland." It is unfortunate to see it happening in county after county.

I know you have been talking about the headlines: 31 percent, one in three counties, one choice. That is not what the President promised. One broken promise after another.

I don't know if you saw the most recent polling today out from Gallup. It said a couple of things: The number of people who disapprove of the health care has gone up and the number who approve has dropped. The headlines are telling the true story about how bad this is. People are finally seeing the truth, in spite of all the things the Obama administration and the Democrats who passed these things have been saying for a number of years.

Mr. MCCAIN. If I could ask another question, and that is, we see—and it is well publicized—the increases in premiums. For example, in Maricopa County, the health care provider remaining is asking for 65 percent increases in premiums, but what about the copays? In other words, isn't it hard for Americans to understand why they would literally pay thousands of dollars before they would be eligible to receive the care?

Mr. BARRASSO. Well, that is it. The deductibles and the copays are one of the reasons that people are saying they are disapproving of the health care law. The premiums have continued to go up, but on top of that, even if you get a subsidy that President Obama says is helpful, it doesn't touch it that first time or the second or the 5,000th because people, before they actually get to use the so-called insurance, have to come up with, for families, sometimes up to \$10,000 out of their own pocket before that. So the insurance is not really useful.

It is interesting when we listen to the President say they have coverage—but not if they can't get care. It is useless coverage. It is empty coverage. It is not what people want, which is affordable care.

Mr. MCCAIN. So if you are an average citizen and you see your deductible at a couple thousand dollars, it seems

to me that your only other option really is to go to the emergency room, the most expensive form of health care.

Mr. BARRASSO. That is very often the case, and we are seeing more and more of that across the country. Emergency room doctors are saying they are swamped.

The President says that when they get ObamaCare, they will find family doctors. That is not what is happening. What is happening is the emergency rooms are being more and more included and involved, and that is where patients are turning today, which is why the Gallup poll today says 29 percent of Americans say they have personally been hurt by the health care law, and this may also be true in Arizona, or worse. So to help people who didn't have insurance, the President and the Democrats and those who voted for this bill should never have had to hurt so many Americans, and today about one in three Americans says they have been personally hurt by this law. Those are the numbers that are out today.

Mr. MCCAIN. So at the next townhall meeting you or I have, somebody is going to stand up and say: OK, ObamaCare has failed, Senator BARRASSO, or Senator MCCAIN. What is the answer?

Mr. BARRASSO. Senator GRAHAM from South Carolina and I introduced a bill called the Health Care Choice Act to let the States have much more of a say in this. The State Health Care Choice Act provides freedom, flexibility, choice. So much of the reason prices have gone up so high is, the President has decided what kind of insurance people need to buy instead of letting the people themselves decide what they need, what is best for them and their families. I have gotten letters, and I know you have as well, where families had insurance that worked for them, but it wasn't good enough for President Obama because he feels he knows better than the people know about themselves and their families.

We want to provide the freedom and the flexibility of choice to let States decide whether they want to comply with the mandates of ObamaCare. States have much more involvement than Washington's one-size-fits-all that I know sure doesn't work for Wyoming and I suspect doesn't work in Arizona either.

Mr. MCCAIN. In a townhall meeting, someone will stand up in Cody or Tucson and say: Senator MCCAIN, the cost of my prescription drugs has gone up 100 percent, 200 percent or whatever. How do we answer people who literally can no longer afford, in some cases, lifesaving prescription drugs?

Mr. BARRASSO. ObamaCare has actually made that worse because if you take a look at the numbers in the deductibles and copays, people who get insurance through ObamaCare have found out in the last several years that they have paid twice as much out of

pocket for prescription drugs as people who got insurance through work because at work the copays are lower, the deductibles are lower, and there is coverage for medications which are expensive because of medical breakthroughs.

The life expectancy of human beings continues to go up because of the advances in medicine and technology. All of these advances have been very helpful for us as citizens of this country and as people living on this planet, but the costs are there, and with ObamaCare we are finding that those people who have to get prescriptions filled through ObamaCare are paying over twice as much as what people are paying who get insurance through work, which is why we need to get away from ObamaCare and repeal it and replace it with patient-centered care, which we are not getting under the ObamaCare law.

Mr. MCCAIN. It seems to me that as we debated for weeks on the floor of the Senate, the fundamental premise of ObamaCare was to take money from healthy young Americans in order to pay for the health care needs of older, not so well Americans. We are seeing a lot of young Americans who are saying: I would rather pay the fine. I would rather pay the fine. So the estimates of those who would be enrolled is roughly half of what the Congressional Budget Office predicted would be enrolled. Obviously, this has a huge effect on the whole ability of health care, ObamaCare, to care for these people.

Mr. BARRASSO. That was the front page story in the Washington Post on Sunday, August 28, "Health Exchange Sign-Ups Fall Short."

The Congressional Budget Office expected 24 million people to sign up, and less than 11 million have signed up. So less than half of the people they predicted would sign up have done so, and the reason is, so many people looked at it and didn't sign up. Why don't people sign up? Because they believe it is a bad deal for them personally. They looked at the high copays, the high deductibles, as the Senator from Arizona made reference to, and the high premiums. They decided it was cheaper to pay a fine than to buy the insurance. They find they cannot use it anyway because the deductibles and copays are so high.

Mr. MCCAIN. If you are a young person and you have paid the fine and then you get in an automobile accident on the way to the hospital, wouldn't you want to sign up for ObamaCare?

Mr. BARRASSO. Interestingly enough, President Obama has made it pretty easy to do that. What we found in watching some of these testimonies from around the country, in one State, you had over 250 people who signed up, got treatment, over \$100,000 worth of treatment, and then dropped the insurance. They are gaming the system left and right because that is the way President Obama has it set up.

Look, it was written behind closed doors in the office of the then-majority

leader, HARRY REID, but because it has become such a disaster, the Democrats have lost the majority and are now in the minority because so many people are bothered by the way the President and the believers in his process have said: It is all right. We have the votes. We are going to do it. We are not going to listen to Republicans. We are not going to listen to doctors who have practiced medicine their whole lives. We know what is better for the American people. That is exactly what we have happening. That is why so many people are saying: It is not a good deal for me. I don't want any part of it. Now we see this Gallup poll where 49 percent of Americans believe this health care law has hurt them personally. Today we are seeing that a greater number of Americans believe this law is going to hurt health care for them and their families into the future. So that is not a good projection about what we need as Americans in a time when we have more people who are living longer and older and want to lead healthier lives.

Mr. MCCAIN. I would like to say to Dr. BARRASSO that I have appreciated your leadership on this issue, and your knowledge and background, frankly, ever since ObamaCare was passed. The Senator has been very helpful to people such as I as we have gone through this odyssey, where the President had said there would be more choice, more competition, and real health care security. He also said, by the way—I think you might recall it, in his own inimitable style, saying: If you like your health care plan, you can keep your health care plan, period. Remember the "period" he added to the comment?

So I thank the Senator, and I want to assure the citizens of Arizona that I will do everything in my power to repeal and replace ObamaCare, which is causing so much harm to the people of my State. It is unconscionable, unnecessary, and I would have it as one of my highest priorities.

I thank Dr. BARRASSO and I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Madam President, I ask unanimous consent that I be permitted to speak as in morning business.

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

(The remarks of Mr. RUBIO pertaining to the introduction of S. 3301 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Ohio.

#### SENIOR TAX HIKE PREVENTION ACT

Mr. PORTMAN. Madam President, I rise to talk about a tax increase in the President's Affordable Care Act. I want to start, though, by commending my colleague from Florida for his remarks regarding the Zika virus and the impact it is having, not just on his State but on so many others in our country. I thank him for his diligence in trying to get to a solution.

We are so close. We did pass something in the Senate. The House passed something a little different. It is time for us to figure out how to resolve these relatively small differences and provide the help that is needed. This is an emergency. It is a medical emergency. I was on the floor yesterday speaking about another emergency, which is the opioid issue and the heroin and prescription drug addiction and now fentanyl addiction issue that is facing Ohio and so many other States in this country. So these are both issues that I hope Congress will act on as part of the process of being sure the government is funded at the year's end. Again, I commend my colleague from Florida, Senator RUBIO, for his good work on this.

Again, Madam President, what I want to talk about is a tax increase that is actually in the Affordable Care Act. This is a tax increase that many people don't know about, but sadly it goes into effect at year's end, and it is going to affect a lot of middle-income seniors in Ohio and around the country. There are millions of seniors who are potentially vulnerable to this tax increase. Some of them don't even know about it.

By the way, it comes at a time when middle-class families all around this country are feeling squeezed. It is those very middle-class families who are going to be hit hardest by this tax increase. Let's face it. Wages are flat, even declining, on average, when you take inflation into account; whereas, the cost of living has gone up, hasn't it. There are a number of factors to that. Electricity costs have gone up in my home State of Ohio by about 25 percent in the last several years, for instance.

But with regard to health care costs, there is no question that everybody is experiencing an increase—families, small businesses, seniors. The President's health care law, the Affordable Care Act, of course, was advertised as helping on that. The notion was, as was explained at the time, that there would be about a \$2,500-per-family decrease in the cost of health care premiums. That has not happened.

In fact, costs have skyrocketed to the point that for many people it is their biggest cost increase and they simply cannot afford health care coverage. It was supposed to bend the cost curve and bring health care costs down, but it simply hasn't. The Ohio Department of Insurance just did an analysis. They say the average cost of health care insurance premiums for the individual market in Ohio has increased over the past 7 years by 90 percent—90 percent—almost a doubling.

When you look at the Affordable Care Act exchanges themselves, it was just reported that we are expecting a 12-percent, on average, increase—12-percent, on average, increase—for people in the exchanges. Who can afford that? This is a double-digit increase. The result, again, is people are feeling the squeeze.

Wages are flat, expenses up. There is a survey that was done by the Federal Reserve recently that said about half of all Americans say they have to borrow money or sell something to cover a \$400 emergency expense—\$400.

If you have ever had a health emergency, you know that can catch you by surprise. It can happen to anyone. Trust me, it usually costs more than \$400. Seniors are especially vulnerable to these expenses, particularly seniors who are on fixed incomes. One economist testified to the Senate Finance Committee at a hearing we had that, in part, because of those unexpected health care cost increases, more than 85 percent of Americans are at risk of having insufficient income in retirement—more than 85 percent.

We think this middle-class squeeze is going to get worse, not better, in Ohio because so many companies are pulling out of the health care exchanges. So, in Ohio, 6 of the 17 companies that offer health care on the Ohio exchanges have now decided to pull out because they are losing money. Aetna is the most recent one. This means, of course, less choice. When you have less choice, what happens? Less competition. Less competition, what happens? You tend to have higher costs and lower quality.

So this is going to make things even worse. The Congressional Budget Office, the nonpartisan group in Congress, and the Joint Committee on Taxation projects that health insurance premiums over the next decade will continue to grow at about 5 percent per year, on average. So that steady increase is just impossible for people to be able to afford.

For seniors, the Medicare trustees project Medicare's monthly Part B premium and deductible will increase even faster than that, by about 5.5 percent per year. Again, for a lot of people in that situation, they are on a fixed income. Their income is not going up 5.5 percent per year. One way seniors have found relief from the squeeze, of course, is take advantage of what is called the medical expense tax deduction. It is very simple. It says that if your medical expenses exceed 7.5 percent of your income, then you can deduct all of those medical expenses.

A lot of seniors take advantage of that. Again, what a lot of seniors may not know is that as of the end of this year, under the Affordable Care Act, it increases—that threshold increases from 7.5 percent up to 10 percent. What does that mean? It means a lot of middle-income seniors are not going to be able to deduct their medical expenses because they exceed 7.5 percent, but they don't exceed 10 percent of their income.

By the way, there are about 10 million Americans who use this deduction every year. Most of them are seniors. A lot of them make less than the national average household income. In fact, most make less than that. Of course, a lot are on a fixed income. I have met with some of these people

back home who are directly affected by this. One would be Susan Culbertson. She is from Zanesville, OH. I was with her in Columbus last week.

Susan said she started working when she was 14 years old. She contributed to Social Security. She thought she had a decent plan for health care with Medicare and being able to take this deduction. Now, as a senior citizen, she has a chronic illness. She is losing sleep over how she is going to pay for all of her medical bills if this threshold goes up to 10 percent.

Her husband Michael McVicker worked as a substance abuse counselor in a school. He is now living off of Social Security and, boy, that is hard to do, as seniors will tell you. When he had a heart attack a few years ago, the medical expense deduction helped him and his wife Susan be able to stay afloat financially. The difference between the 7.5 percent and the 10 percent may not seem like much to some people, but it matters a lot to Susan, to her husband Michael, and to many other seniors in Ohio.

I met with Lanny Hawkins. He is from Ontario, OH. He volunteers to help seniors do their taxes. God bless him. That is a hard job because the Tax Code has gotten so doggone complicated that people need help from these advisers. He tries to help them walk through the Tax Code. He told me that in his experience, the medical expense deduction is especially helpful to seniors who have just lost their spouse. He says then only one income is there, and often they still have to pay their spouse's medical bills after they are deceased.

So in his practice, he has found people who fall between that 7.5 and that 10 percent number who are in that situation.

By the way, I was supposed to meet with somebody named Regina George—Regina is from Hamilton, OH—to talk about this very tax increase. I was looking forward to it, but she couldn't make it. Do you know why she couldn't make it? Because of the very health care problems we are talking about here. Regina just had triple bypass surgery and she has a broken hip. She has some out-of-pocket expenses. She has to depend on her son who lives with her. Her out-of-pocket health costs each month are increasing. She is very worried it is going to exceed 7.5 percent but not exceed 10 percent, and she is going to find herself in a situation where she cannot deduct these health care expenses.

The Ohio AARP has done a good job of providing specific information on this to me and to other members of the Ohio delegation. That is really helpful because this is just not about numbers; this is about people. When you talk to these people and see what they are going through, I think it is something Republicans and Democrats alike should be able to come together on to solve before we leave during this session of Congress.

By the way, the data from the Internal Revenue Service shows that seniors who use this deduction end to be the oldest, the least healthy, and, by the way, disproportionately women. Think about it. To have medical expenses above the threshold means you either have to have low income, high out-of-pocket medical expenses, or both. These are not folks we should be raising taxes on, especially not now when they are feeling squeezed.

Even with Medicare, as I said earlier, seniors still spend a large percentage of their income on health care. The average Medicare beneficiary spent more than \$6,000 a year in out-of-pocket health care expenses in the last year we have information for.

The result is that some 8.3 million seniors rely on Medicaid in addition to Medicare. While this billion-dollar tax increase we are talking about today is intended to pay for part of the President's health care law, it could actually, in the long run, cause more strain on an already struggling Medicaid system. I think that is sort of the definition of pennywise and pound foolish, another reason for us to pass this legislation.

Again, it is not about numbers. It is about people, some of the most vulnerable in our communities. That is why Senator BROWN and I have introduced this legislation—it is called the Senior Tax Hike Prevention Act—to block this tax increase from going into effect at the end of the year and to extend the current 7.5-percent threshold so many seniors are counting on.

The bill is bipartisan. It is common sense. It is a chance for this body to show it does work for the most vulnerable in our society, that we stand with middle-class families who are feeling squeezed right now, and that we stand with our seniors.

I thank Senator BROWN for being an indispensable partner with me in this effort. I also thank the many supporters of our legislation, like the AARP, the American Senior Housing Alliance, and the Ohio Alliance of Area Agencies on Aging.

I urge my colleagues to join Senator BROWN, join others, join all these organizations that represent millions of seniors, and join me in blocking this billion-dollar tax increase by supporting this commonsense legislation for the sake of those seniors who are caught in the squeeze, those seniors whom we represent.

I yield back the remainder of my time.

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

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

UNANIMOUS CONSENT REQUEST—S. 2952

Mr. WYDEN. Mr. President, shortly I will ask unanimous consent that the Senate pass S. 2952, the Stopping Mass Hacking Act.

Colleagues, the bill is just one sentence long. What it does is simple, but in my view it is extraordinarily important. If the Senate does nothing, if the Senate fails to act, what is ahead for Americans is a massive expansion of government hacking and surveillance powers, and it will take place automatically on December 1 of this year. The legislation that I seek to pass, which has been bipartisan in the Senate, would stop this automatic expansion of government hacking and surveillance powers.

I have said it before and I want to say it again this afternoon: There is no question that it is a dangerous world out there, and I take a backseat to none when it comes to making sure our law enforcement and intelligence officers have the tools they need to keep America safe. In fact, I was actually able to add the specific provision expanding emergency powers for our government to act when there is a threat so that the government could move to protect the American people and come back and get the warrant later. But that is not what we are talking about here. What we are talking about here is a staggering expansion of government hacking and surveillance authority. These are major changes to Federal policy that are going to come about through amendments to rule 41 of the Federal Rules of Criminal Procedure.

This is the kind of major issue that traditionally comes before the Judiciary Committee. I see that two of my colleagues with whom I enjoy working very much are here. Chairman GRASSLEY is here and also Senator CORNYN, a member of the Judiciary Committee and a distinguished member of the Finance Committee. We have big policy issues that come before the Finance Committee and that come before the Judiciary Committee. We work on them. We work on them in a bipartisan fashion. Chairman HATCH and I meet every Wednesday afternoon to work on these kinds of matters. That is not what is going to happen with this massive expansion of government hacking and surveillance authority.

Colleagues, these rules are going into effect on December 1 if Congress does nothing. If Congress just says, "Oh, gee, we have other things to do," these rules will go into effect. I guarantee you there are going to be many Americans who are going to be very unhappy, and they are going to ask their Members of Congress what they did to stop this ill-advised approach.

By the way, in the other body, some of the most senior Republicans—Congressman SENSENBRENNER, the distinguished Congressman from Wisconsin, is very concerned about this issue.

The American people want security and liberty, but these amendments don't give them much of either. This

major policy change is going to make it easier for the government to hack into the personal devices of Americans and collect more information about them. They are going to do it by using computer programs called malware. The "mal," in my view, is like "malevolent." It is going to make us less safe, not more.

Allowing the government to use secret, untested malware could end up damaging not only our personal devices but the power grid or hospitals and nearly any other system connected to the Internet. Get your arms around that—hospitals in Iowa, Texas, and Oregon being damaged not because the Congress made a policy decision but because something was done automatically as a result of a change in the rules of criminal procedure. I just want to say to my colleagues that I think there will be a lot of unhappy Americans if that is the case.

The rule change says that the government can potentially search millions of computers with one single warrant issued by one single judge. There is no difference, in terms of law enforcement access, between the victims of a hack and the perpetrator himself. These changes will make people the victims twice over—once by a hacker and once again by their government. You wouldn't punish the victims of a tax scam or a Ponzi scheme with a painful audit. It just doesn't add up.

I understand that passing legislation by unanimous consent is a difficult task. These days, you can hardly get unanimous consent to drink a soda at lunchtime. But this isn't an issue where the Senate can do some kind of ostrich act and ignore the problem. By sitting here and doing nothing, the Senate will be giving consent to a substantial expansion of government hacking and surveillance authority. By not acting, the Senate would give a stamp of approval on a major policy change that has received no hearing, no oversight, and no discussion in spite of the fact that some of the most important companies in America are speaking in opposition to this.

In my view, the limits of search and seizure are unquestionably an issue for this Congress to debate. The Justice Department should not have the power to change the practical meaning of the Fourth Amendment without the people's elected leaders weighing in. Instead, the Senate ought to be doubly concerned by the fact that the administration wants to conduct proactive cyber security policy through some kind of obscure bureaucratic process like rule 41.

There aren't folks in Oregon, Texas, Iowa, or anywhere else who are following the details of something called rule 41, but I am telling everybody that they are going to be very concerned about the expansion of the government's hacking authority. So I hope my colleagues will join me in supporting this bipartisan, bicameral legislation. If this bill does not pass today

by unanimous consent, I look forward to having a hearing on this issue. I know there has been bipartisan interest in the Judiciary Committee. Leaders of the Judiciary Committee have talked about it, and I hope that hearing will take place shortly so that Americans can have a chance to understand exactly how devastating this proposal would be for them.

Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 2952; that the Senate proceed to its immediate consideration; that the bill 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. Is there objection?

The majority whip.

Mr. CORNYN. Mr. President, reserving the right to object, let me start by saying to my friend from Oregon that I admire his passion and I admire his creativity at branding legislation. But for reasons I will explain, this is a commonsense procedure that doesn't relate to the Fourth Amendment—the constitutional right to be protected from unreasonable searches and seizures. This is a venue provision. This has to do with what court to go to in order to get a court order and to get permission of a court, after establishing probable cause, to conduct that search.

Senator WYDEN is seeking consent to block proposed changes in the Federal Rules of Criminal Procedure that have already been the product of thoughtful and lengthy consideration, including public hearing and deliberation. These rules, as all rules that are plied in the courts are, have been approved by the rules advisory committee. This is a group of judges, law professors, and practicing attorneys. Then they were approved by the Judicial Conference of the United States. Then, most significantly perhaps, they were endorsed by the U.S. Supreme Court. So if there were constitutional or other legal issues and concerns about this, one would think the highest Court in the land would have flagged those and declined to endorse them, but they didn't.

These changes have been approved because they are commonsense measures, as I said a moment ago, that relate solely to the appropriate venue for a search warrant. They simply make clear which Federal district court the government should go to in order to apply to a judge for a search warrant in cases involving sophisticated cyber criminals and people like child pornographers and even terrorists. Ultimately, that makes our government more efficient—by making it clear which courts can consider these requests for search warrants—and better equipped to stop these heinous crimes.

As I said earlier, these aren't substantive changes. This doesn't change the balance between privacy and security in the Fourth Amendment to the

Constitution. Rather, the government must still go before a judge and make the requisite showing in order to get a search warrant.

I can't understand who but the most radical of privacy advocates would say that—even after meeting the requirements of the Fourth Amendment before a judge establishing probable cause to get a search warrant, would say: No, we don't want that to happen. I can't imagine circumstances where we would say the Fourth Amendment is trumped by concerns about privacy, especially when the targets that must be proven up in court are cyber criminals, child pornographers, and even terrorists. We can't let that happen, and that is why these rule changes are so important.

Our colleague claims the rule changes will allow for mass hacking and forum shopping. That is the creative branding I told him I admired in the beginning. But these are the same claims that have been considered and rejected through a thoughtful, thorough process that I have already described. These changes are modernizing our laws and updating the tools government has to investigate so they can better protect us from the very real and increasing threat of cyber criminals and terrorists. The truth is, there are more things we need to do in addition to this to update and modernize our laws.

I would close by saying that I know public concerns have been raised. Indeed, I believe there have been some briefings—even today—by Federal law enforcement agencies and the intelligence community with regard to Russian activities in cyber space, even focused on our very system of electing our officials in the November 8 election. This is not a time to retreat and to allow cyber space to be run amuck by cyber criminals or people who would steal intellectual property or child pornographers or terrorists. This is a very sensible tool of venue. It just says where the search warrant can be sought, not the substantive requirements for what needs to be proven. That is preserved under the Fourth Amendment to the Constitution that protects all of us, as it should, against unreasonable searches and seizures.

So for all those reasons, Mr. President, I object to the unanimous consent request.

The PRESIDING OFFICER. Objection is heard.

The Senator from Oregon.

Mr. WYDEN. Mr. President, I am going to yield in just a moment to Senator DAINES, but just so we are clear in terms of my response to the distinguished Senator from Texas, he has—as some have tried to do—sought to characterize this as kind of a routine kind of matter; that this was a rule of criminal procedure of no great import and without any far-reaching consideration. I can tell you that cyber security experts around the country have spoken out virtually unanimously

about the consequences of the government accidentally breaking their computers without telling them.

I don't know of anything that is routine about this at all. Under this change, the government can search potentially millions of computers with one single warrant issued by one single judge. And, tragically, there is no difference, in terms of law enforcement access, between the victims of a hack and the perpetrators themselves. So we are talking about clobbering victims twice. First they get clobbered by a hacker and then they could get hurt by the government.

The distinguished Senator from Texas seeks to portray this as some kind of far-out kind of matter. Virtually all of the major technology companies in this country have written in opposition to this. Scores of cyber security experts have written in opposition. One of the key points they make is that you don't punish victims twice in America. You wouldn't punish the victims of a tax scam or a Ponzi scheme with a painful audit. That is what can happen here.

The idea that a change of this magnitude would be made without any debate, consideration—there has been no hearing on this matter. I know of no meetings. I would like to hear any Member of the Senate tell me about some meeting they went to. I know of no sessions where the public voice could be heard.

I am very hopeful, and I intend to come back to this floor again in an effort to make sure the public is at least brought into this. I can tell you that Senator DAINES and I represent a lot of rural hospitals, for example. Well, certainly if you heard some of what we have been told could happen in terms of what it could mean to computer systems at hospitals and other kinds of facilities, they are going to ask their Senators: What did you do about that? Why did you just let that rule go through that would damage those systems that are a lifeline for Americans?

So we are going to be back. As I mentioned before, my colleague in the other body was starting to make a fair amount of progress. JIM SENSENBRENNER, who is a very influential Member of the other body, has taken a great interest in this, as have a number of colleagues on both sides. So we will be back.

I am going to yield now. I know my colleague from Montana has been a wonderful partner in this effort, and he has some comments to make that will highlight once again the bipartisan concern about the magnitude of this change that would take place without any involvement, none, here in the Senate—no hearings, no debates, no discussions. This is a big change, and I hope we will discuss it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. DAINES. Mr. President, my distinguished colleague from Oregon commented about how technology companies are concerned about what is going on. I spent over a decade in the private sector—in fact, 12 years with a cloud computing company. We had 17 offices around the world and a product in 33 different languages. I saw firsthand what it means to be engaged in the high-tech business and the challenges related to hacking. I also know firsthand the challenge our country does face when it comes to cyber criminals. We were attacked routinely in our company and had to defend those attacks off and build rock-solid, hardened firewalls to protect our customers.

Technology has made it easier for bad actors to steal our identities, to distribute malware, and to commit a whole host of other crimes, all from behind a computer screen anywhere in the world. Our law enforcement faces tremendous challenges in tracking and stopping these criminals. The fact is, our law enforcement policies need to be updated to reflect the 21st-century realities, but these policy changes need to be made through a process that is transparent and that is effective and, importantly, protects our civil liberties.

The changes to rule 41 of the Federal Rules of Criminal Procedure would allow the government to hack an unlimited number of Americans' computers, including innocent victims, with a single warrant. This rule change was approved behind the closed doors of a little-known judicial conference.

Fundamental changes to the way we allow law enforcement to execute searches need to be made, there is no doubt about that. We are in agreement that changes need to be made; however, it must be through a process that is fully transparent to the American people. We cannot give the Federal Government a blank check to infringe upon our civil liberties.

If Congress does not act, this rule change will automatically go into effect on December 1, S. 2952, the Stopping Mass Hacking Act, stops the rule change and will allow Congress to consider new law enforcement tools through—and this is very important—the full, open, transparent process they deserve.

I urge my colleagues to support this not only bipartisan but also bicameral piece of legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

#### FILLING THE SUPREME COURT VACANCY

Mr. GRASSLEY. Mr. President, I come to the floor to speak about the work of the Judiciary Committee and to make a short speech on the issue of the Affordable Care Act.

Earlier this week, the minority leader came to the floor to speak about the Supreme Court vacancy. He made personal insults and threats, as he tends to do. But political stunts and childish

tantrums aside, the minority leader knows the American people deserve to have their voices heard on the future of the Supreme Court. We have made the decision that the next President will select the next Justice of the Supreme Court. We have done that because the next Justice will have a profound impact on issues that matter to all of us for decades to come, and we think the people should have a voice in that matter.

I spent the past several weeks meeting with Iowans across my State and discussing issues that concern them and what is on their minds looking forward to the election this fall. The vacancy on the Supreme Court created by the death of Justice Scalia came up time and again. At meeting after meeting during this summer, Iowans told me they appreciate the Senate's decision that the next President should nominate Justice Scalia's replacement. They understood that this nomination will affect the Court for years to come. For that reason, they want to have a voice in the matter, and we will give them that voice. That is the position the Judiciary Committee took after Justice Scalia's death. We wrote to Leader MCCONNELL on February 23 to advise him that the next President should select the next Justice. We explained it this way:

The Presidential election is well underway. . . . The American people are presented with an exceedingly rare opportunity to decide, in a very real and concrete way, the direction the Court will take over the next generation. We believe The People should have this opportunity.

Our explanation is all the more true as we find ourselves just 2 months away from the Presidential election this fall. I remain convinced that we owe the people a chance to speak their minds on the Supreme Court during this election.

I have not been surprised to hear from my fellow Iowans that they want their voices heard on the issue, and the Senate's decision to give the people this opportunity is no surprise either. We are acting in the Senate's long tradition as a check on the President's power to nominate.

I would like to take as one example, because I have given several examples in other speeches—but go back to 1968. On June 26 of that Presidential election year, President Johnson announced his nomination of Justice Abe Fortas to be Chief Justice of the Supreme Court when Chief Justice Warren declared his intentions to retire. Abe Fortas, of course, was already an Associate Justice of the Supreme Court and had been unanimously confirmed by the Senate just a few years earlier. But that confirmation didn't take place in an election year like 1968.

Within 24 hours of Justice Fortas's nomination to be Chief Justice, 19 Republican Senators issued the following statement: "[T]he next Chief Justice should be selected . . . after the people have expressed themselves in the November elections."

At the time, Democrats held the Senate, so these 19 Republican Members did not control the Judiciary Committee's proceedings on the floor. But those 19 Senators promised that if the issue was forced to a vote, they would "vote against confirming any Supreme Court nominees by the incumbent President."

These 19 Senators made this commitment immediately following the President's announcement of his intended nomination for the same reasons the Judiciary Committee has elected not to move forward the President's nomination of a successor to Justice Scalia.

Here is what Senator Howard Baker said, as one among those 19 Senators:

I have no questions concerning the legal capability of Justice Fortas . . . [but] there are, in my opinion, more important considerations at this time.

Then, to continue to quote Senator Baker:

The appointment of the Chief Justice really ought to be the prerogative of the new administration. . . . In my opinion, the judicial branch is not an isolated branch of Government. . . . It is and must be responsive to the sentiment of the people of the Nation.

Those are my thoughts exactly, and they are not just shared by Republicans. Recall of course that then-Chairman BIDEN said in 1992 that processing a Supreme Court nomination in an election year harms the nominee, the country, and the Senate. And he only spoke of coming together on a nominee in the next Congress with a new President.

I would finally like to address one more argument I have heard recently from those who support the President's nomination this election year. As we have drawn closer and closer to this Presidential election, they have tried to use the length of this vacancy as reason to move forward with this President's nomination. I have even heard some say that this is the longest Supreme Court vacancy ever. That is just plain false. I will list just a few examples.

Two vacancies to fill the seats of Justices Baldwin and Daniel lasted longer than 2 years in the 1800s. Six Supreme Court vacancies have lasted longer than a year, and two more have lasted nearly that long.

As this election draws closer by the day, the Judiciary Committee's position remains consistent. The next President will choose Justice Scalia's replacement.

Senators have made this choice before—like the 19 who declared during the 1968 election year that the next President should choose Justice Warren's replacement. They did so, just as then-Chairman BIDEN said, because that course was best for the country during a politically charged election year. The same thing is true this election year. The next President will select the next Supreme Court Justice.

#### OBAMACARE

Mr. President, I would like to say just a few words on the Affordable Care

Act. I would like to give a direct quote from President Obama about ObamaCare: “Too many Americans still strain to pay for their physician visits and prescriptions, cover their deductibles or pay their monthly insurance bill.”

I am glad that the President has finally heard that message. When I was having meetings in some of the 99 counties in Iowa this year, I heard plenty from families who felt duped by the promises of ObamaCare. Two families told me that their ObamaCare insurance premium was more than their house payment. Many said they did not know how they would continue to pay the premiums.

But President Obama says, in effect, “Pay no attention to rising premiums,” and then promises to give people subsidies. But 97 percent of Americans do not receive ObamaCare subsidies.

ObamaCare seems to be collapsing. Insurers are leaving the exchanges. There has been a lot of news on that lately. Premiums are increasing by double digits. In Iowa, some of those premiums increased as much as 28 percent, and I have heard a lot of States are much higher. Americans have fewer health care choices every day, despite the many promises that ObamaCare would improve just about every aspect of our health care system. Twenty percent of ObamaCare customers will be forced to find a new insurance company this fall. So much for the promise that was made in 2008 that “if you like your [insurance], you can keep it.”

And it is official: You can no longer keep your doctor. So much for the promise of 2008 that “if you like your doctor, you can keep your doctor.” The Obama administration has now even erased all references on its Web site to the words “keeping your doctor.” The link to the web page that used to say “how to keep your doctor” now says “how to pick a health plan.”

So ObamaCare seems to be collapsing. This comes as no surprise. ObamaCare has worked as well as piling 2 tons of fertilizer on a 1-ton truck, and of course any farmer can tell you, that just doesn’t work very well for a long haul.

We could enact alternative reforms aimed at solving America’s biggest health care problems. Good places to start would be cracking down on frivolous lawsuits, letting people purchase insurance across State lines, improving transparency in the health care pricing, giving States more freedom to improve Medicaid, using consumer choice to drive competition, which in turn drives down costs, and changing the Tax Code so that small businesses can provide affordable health insurance to their employees. That financial help is something that ObamaCare took away, and this is exactly what my legislation, S. 1697, the Small Business Healthcare Relief Act, will do to give those employers an opportunity to provide that help to their employees.

I have given only a partial list of policy changes so the American people can know that the failing ObamaCare program is not the only answer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Mr. President, I ask unanimous consent to speak as in morning business for up to 5 minutes.

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

COMPREHENSIVE ADDICTION AND RECOVERY BILL

Mr. KING. Mr. President, last March this body passed CARA, the Comprehensive Addiction and Recovery Act. Unfortunately, at the same time, we didn’t fund it. We didn’t provide any additional funds to support the treatment and recovery of people throughout the country. Since we passed that bill and failed to fund it, 15,000 people—78 a day, 3 an hour—have died because we haven’t acted on funding.

A group of us got together on March 2 and brought forth an amendment to provide \$600 million of emergency funding to give some substance to this bill, which had so much promise, and to provide support for recovery and treatment. That amendment was defeated.

Passing that bill without funding is like sending the fire department to a five-alarm fire with no water. We don’t have the means to do what has to be done to defeat this scourge, which has taken the life of a constituent or more in every State in the Union. Every one of us has lost lives in our State because of this.

Treatment works. Recovery is possible. It is hard, but the greatest tragedy—the greatest tragedy—is when someone struggles with this awful disease, is ready to seek help, seeks help, and is told: Sorry, there is a 3-month waiting list. That is unconscionable.

This is something that is taking lives right now. This isn’t an abstract, “maybe this will happen in the future.” This is right now, today, in Maine, in Florida, in California, in Arizona, in Washington, in Nebraska, in Texas—all across this country. It is the greatest public health crisis of my lifetime. Seventy-eight people a day are dying, and it is preventable.

There are three legs to the stool of dealing with this: One is law enforcement, one is prevention, and one is treatment. And without all three of those legs, the stool collapses and people die. These are real people.

I have had roundtables in Maine. I sat next to a deputy sheriff who lost his daughter and one woman who said she hoped her son would be arrested so maybe then he could get into treatment. These are regular, ordinary Americans that are being affected by this, not only young people. These are older people, middle class, middle-aged people. This is a major crisis. There are lots of aspects to it, and I can talk about the fact that opioid prescription drugs lead to heroin and other drugs, but the real subject today is funding.

I was told back in the spring: Don’t worry, we are going to take up CARA

in appropriations. We are going to have appropriations bills, and it will all be dealt with. Well, now we are talking about a continuing resolution that would not have any additional funding unless we find a way to do it, and that is my plea today.

I have written to the President; I have written to the chair of the Appropriations Committee saying: Let’s find a way to at least fund the \$181 million that is authorized in CARA. At least do that, even if we are doing a continuing resolution.

By the way, I don’t understand why we are doing continuing resolutions when the agreement has been reached on the amount of the budget, the amount of the appropriations. The Appropriations Committee has done their work. Why aren’t we doing appropriations? That is another subject.

But however we do the funding this fall, let’s deal with this terrible problem that is taking lives, tearing families apart, and deeply wounding the heart of America.

I ask the consideration of this whole body for this urgent problem and that we take real steps to deliver help to those people who are asking for it.

Mr. President, I yield the floor.

#### EXECUTIVE SESSION

#### NOMINATION OF PETER MICHAEL MCKINLEY

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The assistant bill clerk read the nomination of Peter Michael McKinley, of Virginia, 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 Federative Republic of Brazil.

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the McKinley nomination?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Illinois (Mr. KIRK), and the Senator from Kansas (Mr. MORAN).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted “yea.”

Mr. REID. I announce that the Senator from California (Mrs. BOXER), the Senator from Illinois (Mr. DURBIN), the Senator from Virginia (Mr. Kaine), and

the Senator from Michigan (Mr. PETERS) are necessarily absent.

I further announce that, if present and voting, the Senator from Virginia (Mr. KAINE) would vote “yea.”

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

The result was announced—yeas 92, nays 0, as follows:

[Rollcall Vote No. 137 Ex.]  
YEAS—92

Ayotte	Flake	Paul
Baldwin	Franken	Perdue
Barrasso	Gardner	Portman
Bennet	Gillibrand	Reed
Blumenthal	Graham	Reid
Blunt	Grassley	Risch
Booker	Hatch	Roberts
Boozman	Heinrich	Rounds
Brown	Heitkamp	Rubio
Burr	Heller	Sanders
Cantwell	Hirono	Sasse
Capito	Hoeben	Schatz
Cardin	Inhofe	Schumer
Carper	Isakson	Scott
Casey	King	Sessions
Cassidy	Klobuchar	Shaheen
Coats	Lankford	Shelby
Cochran	Leahy	Stabenow
Collins	Lee	Sullivan
Coons	Manchin	Tester
Corker	Markey	Thune
Cornyn	McCain	Tillis
Cotton	McCaskill	Toomey
Crapo	McConnell	Udall
Cruz	Menendez	Vitter
Daines	Merkley	Warner
Donnelly	Mikulski	Warren
Enzi	Murkowski	Whitehouse
Ernst	Murphy	Wicker
Feinstein	Murray	Wyden
Fischer	Nelson	

NOT VOTING—8

Alexander	Johnson	Moran
Boxer	Kaine	Peters
Durbin	Kirk	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate’s action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now resume legislative session.

WATER RESOURCES DEVELOPMENT ACT OF 2016—Continued

The PRESIDING OFFICER. The majority leader.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for the Inhofe-Boxer amendment No. 4979.

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Senate amendment No. 4979.

Mitch McConnell, James M. Inhofe, John Cornyn, Orrin G. Hatch, Shelley Moore Capito, Thom Tillis, Dan Sullivan,

Mike Rounds, Marco Rubio, Cory Gardner, Dean Heller, Pat Roberts, David Vitter, Roy Blunt, John Barrasso, Roger F. Wicker, Steve Daines.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for the underlying bill, S. 2848.

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 523, S. 2848, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

Mitch McConnell, James M. Inhofe, John Cornyn, Orrin G. Hatch, Shelley Moore Capito, Thom Tillis, Dan Sullivan, Mike Rounds, Marco Rubio, Cory Gardner, Dean Heller, Pat Roberts, David Vitter, Roy Blunt, John Barrasso, Roger F. Wicker, Steve Daines.

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the filing deadline for first-degree amendments for the cloture motions filed today be at 3:30 p.m. on Monday, September 12.

The PRESIDING OFFICER. Is there objection?

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. Is there objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Kansas.

OBAMACARE

Mr. ROBERTS. Mr. President, I rise today to share some flashbacks for throwback Thursdays, if we want to call it that, with regard to ObamaCare.

There have been a lot of speeches made about ObamaCare recently. Specifically, I want to look at the facts about ObamaCare, as we all know them now, more than 6 years after it was signed into law—6 long years—and remind the country what the President and my colleagues across the aisle promised all of us when they pushed this bill through the Congress. I say “push” because it passed without one single Republican vote and certainly not mine.

First, the reality. All summer long, we have read the headlines about drastic premium increases being requested, insurers pulling out from different States, and patients being caught in the middle.

My State of Kansas has not been immune. Last year, UnitedHealthcare announced it would leave our State. Aetna was going to start offering coverage next year and then announced a massive exit from exchange markets across the country, including Kansas. We were at risk of having just one insurer in many parts of the State, with no competition with regard to pricing.

In June, the State insurance department announced a proposed rate increase for next year. The good news: A new insurer, Medica, was proposing to offer coverage in Kansas. However, there is bad news. The bad news is that premiums could be increased by nearly 50 percent next year for some individuals in our State and I know in many other States. Last year, the highest approved increase was 24.5 percent. Next year’s rates are still being finalized, but they could be double that.

Now let’s throw it back. In 2013, President Obama said about the law that “the result is more choice, more competition, real health care security.” Today, however, we see less choice, less competition. And with insurers coming and going and rising premiums, I think Kansas families would agree they are not secure in their health care coverage. I don’t know any State that is.

These are not just headlines in the paper or on the Internet; real folks back home are hurting. A nurse in Miltonvale, KS, wrote to me about what she calls the devastating effect ObamaCare is having on her patients and her loved ones. She says: “I am very concerned that continuing along these lines will further limit care and accelerate a decline in health care in our state, as well as our nation.”

But, again, let’s throw back to what we were initially promised. Way back on the campaign trail in 2008, then-Candidate Obama promised that he would enact health care reform which would lower a typical family’s premium by \$2,500 a year. I don’t foresee any way those savings could be realized if a Kansan’s premium is going to be up to over 40 percent, on top of about 25 percent last year.

Looking back to 2013, Congresswoman NANCY PELOSI said the implementation of this law was “fabulous.” Fabulous, indeed. This was, of course, before open enrollment started and the failed launch of the healthcare.gov Web site, which crashed.

More issues of concern to me have come from recent regulations that have been used to implement this law. This law has massive regulations. The law has 2,000 pages. We are now at over 10,000 pages of regulations.

The administration has proposed changing how they verify individuals as being eligible to receive taxpayer assistance for their premiums under the

law. Discrepancies between what a person claims their income is and what is received from trusted data sources must now be off by 25 percent. Previously, it was 10 percent in order for the administration to investigate a possible fraud. So I guess you can be fraudulent up to 24.9 percent now. The administration should not be lowering the standard by which it verifies eligibility for folks to receive our scarce taxpayer dollars. It is unacceptable for implementation of this law to further burden taxpayers by failing to protect against fraud and abuse.

Another recent regulation gets at one of my biggest fears from the law's passage: the ability of the government to ration care. There were four provisions of this law that I believed would decrease individual choice and open the door to rationing, one of which was the Centers for Medicare and Medicaid Innovation, CMMI. In March, this outfit passed a proposal to test, as the agency calls it, how we pay for prescription drugs for our seniors under Medicare Part B. Patient groups, doctors, and many of us in Congress are gravely concerned about how this test could affect the patient's quality of and access to care. As the Kansas Medical Society explained to me, this so-called demonstration "will force Kansas Medicare beneficiaries with serious, sometimes life-threatening conditions to participate, disrupt their treatment processes, and impede their access to needed medications with no evidence of improved health outcomes or financial gains for the Medicare system." Such a so-called test is now allowable because of the rationing provisions of ObamaCare.

The law is simply not working for the large majority of Americans. Insurers are pulling out, citing large losses in covering the population of people who are seeking coverage on the exchanges. So Americans are left with fewer options in selecting their health care coverage, and, most concerning, they are paying more for it—a lot more.

Looking back to December of 2015 when this body sent legislation to the President's desk to repeal ObamaCare, the President's Statement of Administration Policy stated simply, "The Affordable Care Act is Working." Yet, last month the President wrote in the Journal of the American Medical Association that "too many Americans still strain to pay for their physician visits and prescriptions, cover their deductibles, or pay their monthly insurance bills." That is a true statement. I thank the President for waking up to this nightmare.

Despite his new revelation that the Affordable Care Act is, in fact, the unaffordable care act for most, the President and his party's candidate to succeed him say the answer is greater government control—a public option. Folks, that is government health care. That is what we are talking about. The failings of ObamaCare cannot be cor-

rected with more government intervention, more restrictions, and more regulations.

We must triage the pain this law is inflicting on hard-working Americans. We must repeal and we must replace this law. I know that many colleagues will join me in continuing to work to provide freedom from its mandates and increased taxes to all and enact reforms to our health care system that will actually lower the cost of coverage and increase access to care for individuals.

Simply put, this law is failing. It is our job to correct it, and we will continue fighting to do so.

I was talking about this matter in the cloakroom just moments ago. Several of our Members have been very active in this whole endeavor to try to not only repeal but to replace this law, and they pause a little bit and say: You know, maybe this law was designed to fail. Maybe this law is so bad in terms of falling apart that people could not help but know that and then come in and say that the only thing we can now move to is national health care, government-run health insurance. If that is true, that is a 6-year effort with a lot of pain and suffering and in terms of political deceit, probably ranks right at the top.

We have to repeal this law. We have to replace it. We have to get to work. And we have to prevent further steps toward national health insurance.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

#### WRDA

Ms. STABENOW. Mr. President, I rise to speak about legislation that is currently on the floor, the Water Resources Development Act.

I start by thanking a great legislative team of opposites who come together—and when they do they get things done—that is, Senator INHOFE, the chair of the committee, and the ranking member, Senator BOXER. I thank both of them for tireless effort, including their staffs for bringing forward something that is very important to my home State but important to communities all across the country. I also want to thank our two leaders for coming together and finding a way to have a path forward that allows us to come to the bill without a vote on a motion to proceed, and that involves all of our colleagues wanting to work together and that is evident on this bill and I very much appreciate everybody's efforts.

This comes after the Environment and Public Works Committee approved the Water Resources Development Act by 19 to 1 in the committee. Clearly, there is very strong bipartisan support, and it comes because the water infrastructure needs of the country are so great for every community, every State. I know the distinguished Presiding Officer would be able to tell the same story in North Dakota.

I particularly want to focus on one part—and then I will speak more broadly about the bill—but the part that deals with lead exposure and lead in water, which is very important to me, as colleagues know, and very important to a community called Flint, MI, where 100,000 people, through no fault of their own, were exposed to excessive levels of lead. There are efforts going on now to try to fix that, and we will focus on the long-term health and nutrition needs of the children and families, but the water is still not fixed.

People have said to me: Gosh, that was really bad what happened before in Flint. I say: No, no, it is not what happened in Flint, it is still happening. There are still bottles of water being delivered to homes, and people have been waiting. So we are grateful to be at this point, and there certainly is a sense of urgency coming from families in Flint and all around Michigan as well.

More than one-half million preschool students in the United States are exposed to elevated lead levels. So this is an issue not only in Flint but in schools and other parts of Michigan, where the drinking fountains in the school—you know, when you are walking down the hall and see the drinking fountain in the school is shut down because of high lead exposure, that has happened in schools across the country.

We have a particular concern because there are 9,000 children under the age of 6, not counting all the children in school, who have elevated lead levels. It is quite frightening because some of the homes in Flint actually have registered levels higher than a toxic waste dump. It is pretty scary and incredibly important that we support their efforts to get the pipes replaced as quickly as possible.

The cost of lead exposure goes far beyond the \$50 billion a year Americans have to pay in health care and in bottled water and all of the other health issues. Having unsafe water costs us our well-being, the health of the communities, economic development. It costs us a sense of dignity. As Americans, we think one of the basic rights that we don't think about—we just take it for granted that you are going to turn on the faucet and clean water is going to come out and you can drink it. That sense of basic confidence in infrastructure has been shaken in Flint but also in other communities across the country. That is something we are addressing in this bill that is so very important.

I am very pleased we have a bill in front of us that will comprehensively not only address a community that we have been fighting for and care deeply about but other communities around Michigan and around the country. We need the funding in this bill—the authorization in this bill because of a number of reasons. Let me again—speaking about lead, there are 5,300

American cities that have been found to be in violation of Federal lead rules. So there are 5,300 cities right now that we know don't meet the standards for safety. In USA TODAY they reported that excessive lead has been detected in nearly 2,000 public water systems across all 50 States. This is an important bill, and it addresses something that not only I have been focused on and my colleague Senator PETERS has been focused on but I know other colleagues are focusing on in communities in their States.

Frankly, there is no safe level of lead exposure and even a small amount can harm people over their lifetime. One study from Rhode Island found a correlation between even the lowest levels of lead exposure and declines in reading scores. There are certainly many other studies.

When we look at what is happening in this bill, the first thing I am very pleased to say is that we have a provision that helps our communities that have literally been shut down, not only families with bottled water, but can you imagine being a downtown restaurant and we have economic development going on downtown and all of a sudden people don't want to come because they are worried the restaurant is using contaminated water. In fact, it is totally safe to come to downtown Flint, and they are making great efforts on economic development and revitalization. I was pleased to host the SBA Administrator a number of months ago, talking with small business entrepreneurs who are excited about being in Flint.

When we look at the broad ripple effect when a water system isn't safe, it is most importantly about families and children, but it also affects small businesses and it affects the entire economy. So in this bill, we are very pleased we have a provision fully paid for by phasing out another program that will help address this.

We also address lead contamination in communities across the country. There is a very important loan program that was put in place by the chairman and ranking member in the last WRDA bill but not activated, not funded, that we fund that will activate loans—\$800 million, possibly more, in loans available for communities all across the country. The structure was set up in the last WRDA bill and now in this one we are actually funding it. So communities can activate very important loans to upgrade their water infrastructure.

We also know that when we are looking at issues around lead contamination, we see across the country drinking water issues in 22 percent of the homes in Jackson, MS, were found to exceed the Federal action lead levels. I remember the Mayor of Jackson saying to pregnant moms and children: Don't drink the water.

It is not just water. There are 37 million housing units in the United States that contain lead-based paint. Even

though we have come a long way, we have addressed lead-based paint, but we still have problems there in older homes that are still affecting children.

Soil is another issue, and certainly those of us who work with our farmers understand that as a critical resource in growing our food in East Chicago, IN, some show lead levels up to 227 times above the Federal lead limits and 135 times above the arsenic limit. It is pretty tough to be growing things when you have that kind of contamination in the soil.

The top 6 inches of soil had up to 30 times more lead than the level considered safe for children. Atlantic City, Philadelphia, Allentown, Pennsylvania, where over 500,000 children have enough lead in their blood to merit a visit to the doctor.

In this bill, we provide resources as well to address issues related to public health and lead in children. We know that for the 286 million Americans who get their tapwater from community water systems, this bill is an incredibly important investment in many different ways. It is necessary for public health and safety, it is necessary for economic development, and communities across America will benefit from this.

I also thank the committee for once again focusing on something else we in Michigan care about—the Great Lakes. We are surrounded. We have the peninsula surrounded by water and great beauty. Another wonderful summer we just had, where boating, fishing, and tourism is a very important part of our economy as well as a way of life. In this bill, for the first time, we established the Great Lakes Restoration Initiative, formally in law, and it will authorize \$300 million for the Great Lakes Restoration Initiative over the next 5 years. This is important for all of us in the Great Lakes State. It is also important because 27 percent of the world's freshwater comes from the Great Lakes. So it is a very important economic resource for all of us.

This bill also authorizes new programs to help with drought by promoting innovative water technology and research, for desalinization and water reuse and recycling.

It authorizes very important Army Corps projects. There are 25 critical Army Corps projects in 17 different States that are authorized in this legislation. These are authorizations for infrastructure projects that protect and address concerns in communities in South Carolina, Florida, New Jersey, and Louisiana, where we know about the hurricane and storm damage, and flood control projects in Texas, Missouri, Kansas, and California. There are environmental restoration projects in Oregon and in Washington State.

There are additional dam improvement programs, new programs that allow FEMA to help rehabilitate high-hazard potential dams. America's 84,000 dams are rapidly aging, and 14,000 of them are considered high risk, high

hazard. We have about 88 of those dams in Michigan that are considered high hazard.

So this is a bill that touches every single State. I know Members across the aisle have worked on this together. Clearly, it is something that is very important to Michigan, very important to families in Michigan. The piece that allows us to support the 100,000 people in Michigan is incredibly important for us, but we also understand that in the process of legislating, we have been able to support efforts and needs around the country and come together to do something that is important for communities in all of our States.

I think that is what legislating is all about, as the Presiding Officer knows. You and I have worked together on many different projects that try to address concerns across the country.

Again, I thank the chairman and ranking member for doing an outstanding job, for supporting our efforts but also supporting efforts of other Members. Hopefully, as we work our way through this process, we can come together on commonsense amendments that relate to this bill so we can have a very big vote on final passage and send it to the House, and hopefully our colleagues in the House will recognize how important this is to their districts and their States as well, and we will be able to get this to the President as soon as possible.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

**HONORING CORPORAL MONTRELL JACKSON, DEPUTY BRAD GARAFOLA, AND OFFICER MATTHEW GERALD**

Mr. CASSIDY. Mr. President, I rise today to honor three brave men: Corporal Montrell Jackson, Deputy Brad Garafola, and Officer Matthew Gerald.

It has been a tough summer in Louisiana. Not only did we have the floods of which I spoke yesterday, but we had the Alton Sterling shooting, the civil unrest afterwards, and then these three officers killed and several others shot. I will speak today to these officers.

On July 17, the three men I just mentioned gave their lives while protecting our community when ambushed while reporting to a 9-1-1 call. Deputy Nick Tullier, Deputy Bruce Simmons, and Officer Chad Montgomery were injured during this attack. Thankfully, Deputy Simmons and Officer Montgomery have returned home to their families, but Deputy Tullier remains in the hospital. Please keep him in your thoughts and prayers.

Speaking of those who died, Corporal Jackson was a 10-year veteran of the Baton Rouge Police Department, a loving husband to his wife Trenisha, and a father to his 4-month-old child, Mason. Following the shooting of Mr. Alton Sterling, Montrell wrote on his Facebook page:

I personally want to send prayers out to everyone affected by this tragedy. These are

trying times. Please don't let hate infect your heart. This city must and will get better.

Deputy Garafola served the East Baton Rouge Sheriff's Office for over 24 years. He was a beloved son, husband to his wife Tonja, and father to their four children: Garrett, Braley, Brad, and Samantha. He was remembered for always selflessly trying to help others. At the time of his death, he again acted selflessly, giving his life when he saw another officer down, running to that officer who was injured during the attack and by doing so exposing himself to fatal gunfire.

Officer Matthew Gerald joined the Baton Rouge Police Department just last year. Before this, he had bravely served our country in both the Army and Marine Corps. Between 2002 and 2009, Matt completed three tours of duty in Iraq as a crew chief on a helicopter crew and received numerous awards and medals. Prior to his service in the Army, he had enlisted in the Marine Corps in New Orleans and served 4 years from 1994 to 1998. Matt was a loving son, husband to his wife Dechia, and father to Dawelyn and Fynleigh. His wife recently announced she is pregnant with their third child.

Each of those men shared common core values that guided them: service, stewardship, and sacrifice. They put the needs and well-being of others before their own. Scripture says, "Greater love hath no man than this, that a man lay down his life for his friends." In protecting their community, these men paid the ultimate sacrifice. I honor their lives and thank their families for their selfless service to the city of Baton Rouge, to the State of Louisiana, and to the United States of America.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

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#### WRDA

Mr. CORNYN. Mr. President, as the Presiding Officer knows, we are working on a bill we call WRDA, W-R-D-A, which is the Water Resources Development Act. This is important to the entire country because what it focuses on is obviously clean drinking water but also the kinds of infrastructure that protect public safety and make commerce and transportation possible.

I commend the leadership of Chairman INHOFE, the Senator from Oklahoma, and Ranking Member BOXER, the Senator from California, for the work they have done getting us this far.

In particular, I wanted to mention the application of this legislation to

my home State of Texas. Texas understands that water is a precious resource and one that needs to be managed effectively. There is an old saying in Texas that whiskey is for drinking and water is for fighting. It kind of makes you chuckle, but it demonstrates the point that water is essential to life. It is essential to our agricultural community to be able to grow our crops and water our livestock. It is indispensable, but it is easy to overlook all the work it takes to craft good legislation that looks out for the whole country's water supply and also protects our ports, our waterways, and helps guard against flooding. These are just a few of the projects included in this bill.

In April, this legislation overwhelmingly passed out of committee. I am pleased this bill serves as just another example of what we can accomplish when we put politics aside and work together in the best interests of the American people.

I wish to mention that I am also grateful this legislation includes part of a bill that I introduced last spring called the COAST Act. Texas has hundreds of miles of coastline, and the State's location in the Gulf of Mexico makes it particularly vulnerable to hurricanes, storms, and other weather impacts such as flooding, storm surges, and high winds. I don't need to tell the Presiding Officer about that, as Louisiana recently suffered terrible flooding.

In 2008, Texans saw firsthand when Hurricane Ike made landfall. It became the second most costly U.S. hurricane on record.

Of course, because the area is so densely populated and includes one of our Nation's busiest ports and energy hubs, major damage along the Texas coast would likely be felt well beyond our State in much of the rest of the country as well, particularly the economic impacts. Safeguarding the gulf coast from the next major hurricane should be a priority not just to Texas but a national priority, as I say, both to those who live there and those who would suffer the potential economic consequences. That is why this particular provision, the coastal Texas protection provision in the Water Resources Development Act legislation, is so important.

This is very straightforward. All it would do is require the Army Corps of Engineers to take advantage of pre-existing studies and not have to duplicate those studies as a prerequisite to addressing this issue. The Corps wouldn't have to duplicate efforts but could instead build on the good work of leaders in the State that had already been done, so the Texas coast can get the protection it needs sooner rather than later.

Fortunately, the Water Resources Development Act also includes projects that will benefit communities across my State, such as infrastructure improvements to help reduce flooding,

provisions that make our ship channels more efficient and strengthen our ports by making them safer and better equipped to handle growing amounts of trade. I know there is a lot of discussion about trade, particularly in the Presidential election season, but I will tell you that trade is viewed as an unmitigated good in my State. We are the No. 1 exporting State in the Nation, and that is just one reason why our economy is growing faster than the national economy.

We have learned a very simple lesson; that is, when you grow things—when you make things—and you have more people and more markets to sell to around the world, it is good for jobs, and it is good for the economy. I hope that some of our leaders and those who aspire to become the next President of the United States learn from some of the lessons that we have learned from in Texas—that trade is good.

That is not to say that with globalization there aren't some people disadvantaged, and we can address some of those concerns with funds dedicated to retraining efforts. But the fact of the matter is that more technology and more globalization are changing our economy and our labor markets in ways that we will never be able to reverse. So we shouldn't throw the baby out with the bath water and just turn our backs on the benefits of trade, which means we need to have efficient ports that are equipped to handle growing amounts of trade globally.

In conclusion, on the Water Resources Development Act, let me say again that I express my gratitude to Chairman INHOFE and Ranking Member BOXER for this solid, bipartisan legislation. I hope it passes the Senate soon. I trust it will be out of the Senate by the middle of next week.

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#### JUSTICE AGAINST SPONSORS OF TERRORISM ACT

Mr. CORNYN. Mr. President, this weekend is the 15th anniversary of the terrible attacks on our country on September 11, 2001. It is impossible to forget the horrible events of that day and the pain, grief, and mourning that our country felt. I think it is one of those seminal events in my life—and I am sure I am not alone—that I will always remember what I was doing and where I was when those planes hit the World Trade Center. It reminds me of when President John F. Kennedy was assassinated when I was much younger. I remember where I was and what I was doing.

I know communities across the country will spend time on this anniversary of 9/11 honoring the lives of the victims, their families, and the friends that they left behind, as well as the first responders and volunteers who put others before themselves in the wake of so much destruction.

One way that Congress can honor the victims of that day and lend support to their families is by sending the Justice

Against Sponsors of Terrorism Act to President Obama's desk for his signature. This bill would enable Americans and their family members to pursue justice against those who sponsor acts of terrorism on the U.S. homeland, such as that which occurred on September 11, 2001.

A few months ago this legislation passed unanimously in the Senate. Again, there is not much legislation that passes this body unanimously, but this did.

I believe unanimous passage of this bill sends an unmistakable message that we will combat terrorism with every tool we have. Just as importantly, we will make sure that simple justice is available to the victims of terrorist attacks on our soil by not erecting any unnecessary roadblocks to the pursuit of justice in the courts of law.

I understand that the House of Representatives will vote on this legislation, perhaps as soon as today or tomorrow, and I hope they send a similar message to the victims and their families on this 15th anniversary of 9/11.

Finally, I hope the President will rethink his previous statements expressing an intent to perhaps veto this legislation. It makes absolutely no sense to prevent the families who suffered losses as a result of terrorist attacks on our soils from having their day in court against whoever is responsible. This legislation does not purport to decide who is responsible but merely removes the impediments under the sovereign immunity act that prevent them from even presenting their case in court.

It is time we help victims of terrorism in our country to seek justice, and it is time that the Justice Against Sponsors of Terrorism Act becomes the law of the land.

With that, I yield the floor.

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

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

#### WASTEFUL SPENDING

Mr. COATS. Mr. President, today I return to the floor for talk No. 49—49 weeks of coming to the floor to talk about what we have described as “waste of the week.” We originally started this about 50 weeks ago in this cycle, with some skipping of weeks when we were not in session, trying to look at ways to make government more efficient and effective and to save taxpayer dollars. We set a goal of reaching \$100 billion.

Whether it was the Congressional Budget Office, whether it was the inspectors general overseeing expendi-

tures in the various agencies, we kept receiving these reports about taxpayer money that is wasted through waste, fraud, and abuse. We have talked about everything from the ridiculous to the really serious in terms of mismanagement, fraud, and waste that has occurred in this Federal Government.

At a time when we cannot begin to balance our budget, when expenditures keep significantly exceeding revenues that are coming in no matter how much tax we collect, we find ourselves in a situation where we are continuing to borrow and borrow and borrow and borrow into the trillions and trillions and trillions of dollars—a truly unsustainable rate which will cause great harm to the American people at some point, if it hasn't already. Clearly, it is holding down our ability to grow. Clearly, it is putting us in a situation where expenditures on just paying interest on the money we have to borrow continues to increase, depriving us of the opportunity to address some essential needs, such as infrastructure and basic science. NIH research, the CDC, and others are being squeezed because we simply don't have the funds available without continuing to go into debt.

So this is No. 49. It is one of the more minor ones. Keep tuning in because next week we have a big one coming. We could come down here almost every day and talk about something, with the backlog of waste, fraud, and abuse documented by agencies that are non-partisan. They are not Republican. They are not Democratic. These are agencies that just deal with numbers, they just deal with facts, and they report to us, as Members of the Senate and the Congress, to make this available to the public and to demonstrate that we could run a much better shop here and save the taxpayers a lot of money.

Today I want to highlight abuse of a fund that exists within the Department of Health and Human Services. It is called the Nonrecurring Expenses Fund, otherwise known as NEF. “Non-recurring expense fund” is another fancy description the Federal Government has put out so that nobody can understand what it is, but we looked into this and found that the Non-recurring Expenses Fund is a fund that was created to place money which wasn't used. There was money appropriated by Congress for specific purposes, but they didn't use all of it. Instead of turning it back to the Treasury or the taxpayer, they said: Let's create this fund that we can put this excess money in that hasn't been used for the purpose it was designated. We will put it in a fund, and it will be there for use for some other purposes.

Well, you know how government works: Never return a penny of the money that has been allocated to you by the Congress because the next time it comes up on an annual basis for your allocation, Congress may say: Well, they didn't need all that money, so let's give them less money next year.

Oh, no, we don't want to be in that position, so let's make sure we find a way to spend it.

Anyway, the money is sitting here in this slush fund called the Nonrecurring Expenses Fund, and it is supposed to be used for one-time expenses that come up on construction or IT projects and they can go to the fund and take some money out and use it for specified purposes. Well, all that was fine, I guess. I think it should have gone back to the Treasury. They did put a 5-year limit on it, and if it is still there after 5 years, it is supposed to go back to the Treasury but instead goes to this fund.

Well, along came ObamaCare and all of its promises: Don't worry, it is not going to cost you a penny more than what is already being paid. If you like your doctor, you can keep your doctor. Your premiums won't go up.

All that was promised to us by the President. After every declarative thing he said, he added: Period. Not one penny increase, period. Keep your doctor, period. Done deal, folks. Trust us.

Well, of course none of that happened. ObamaCare seems to be collapsing under the weight of its own regulations and rules and operations. We read every day, almost every week of an exchange closing, of premiums skyrocketing. We are in for a very big surprise this fall. Some of this has been documented about the numbers coming in and the increases in premiums in the various States that are staggering. People are dropping out, people can't afford to get in, and on and on it goes.

In any event, under ObamaCare, as we all remember, when they set it up, the Web site didn't work and people couldn't make the phone calls, so the expenditures have been significantly higher than what we were told and what was projected, and we are talking about big money here. So the administration thought, well, let's sort of look around, dig around, and maybe we will find a fund somewhere where there is some excess money we can use to prop up ObamaCare rather than having to go back to the Congress.

Now, this is money appropriated for a specific purpose and not to be used or tapped into to pay for some other failing program over here, but, of course, that didn't stop the White House from doing that. It seems nothing does stop them, including laws passed by the Congress.

In any event, they determined that, wow, here is a slush fund. Over the course of 4 years, it had about \$1.3 billion in it. So why don't we just take it? It breaches the rules, maybe even the constitutionality of the fact that Congress appropriates money for specific purposes and puts it in specific places, and the administration doesn't have the right to simply go over there and say: Oh, there is a pot of money over there. It has been sitting there. Even though the law says it should expire after 5 years and it has to go back to the Treasury, we will ignore that and

take that money, and we will apply it to pay for some of the bills on ObamaCare.

And that is exactly what they did. So \$1.3 billion was taken from a fund without a congressional vote—an abuse of power undermining Congress's constitutional authority over appropriations. So here we are adding to our total the \$1.3 billion that could have been saved, that was appropriated but not used. It could have been used for many things. We are talking about trying to find ways to pay for Zika funding. This is a serious matter. Zika is having an impact. We have known that. The opposition here—the Democrats—have voted three times to prohibit us from going forward on that. But one of the issues here is the pay-for that we are under. If we are going to start a new program or appropriate more money to a program, we want to find something else to pay for it. Well, here is the perfect way to do it, and the amount of money is more than actually requested. Mr. President, \$1.3 billion could be easily used as a pay-for for the Zika problem. That would get the CDC and get the States out there to deal with this very significant and difficult problem. But no, nope; it had to go to ObamaCare. It had to sort of once again fill the gap from expenditures that have gone all over the place.

So what we have done is shown that this is money that we could have saved the taxpayer or that could have used for a better purpose, and under the waste of the week total here, we are now adding this \$1.3 billion, which brings our total to \$240 billion—\$240,785,726,817. It just keeps going up. Here we are sitting on a total of nearly \$241 billion of waste, fraud and abuse.

As I said, fasten your seatbelts, folks; the next one coming in next week is a staggering number of documented waste, fraud and abuse.

Mr. President, with that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### ZIKA VIRUS FUNDING

Mr. MARKEY. Mr. President, we are in a race against time. The number of confirmed locally acquired Zika infections in Florida now total 56. In Puerto Rico, it is estimated that 50 pregnant women are infected with Zika each day. There are now 67 countries and territories around the world reporting Zika cases. The Director of the Centers for Disease Control and Prevention has announced that the agency has exhausted its current funds to combat the Zika virus, but thus far the Republicans have refused to work with the

Democrats to actually provide the new funding in the race to find a vaccine. This is simply unacceptable.

Last month, I visited Cabo Verde off the coast of Africa. I saw firsthand the devastating impacts of the Zika virus. Through a Catholic Relief Services program, I met with mothers and their infants suffering from microcephaly, the birth defect which causes smaller brains and other developmental defects in newborns. I was able to meet with two loving mothers: Dunia, the mother of Dara; and Suely, who is the mother of Senilson. Both babies were born on June 5, 2016. The first case of microcephaly associated with the Zika virus on Cabo Verde was detected in March, just 6 months after the disease was declared an epidemic in the country. Now there are more than 7,500 reported cases of Zika on Cabo Verde, and the number continues to grow.

Zika is a terrifying virus. It is the only known mosquito-borne virus that can cause birth defects and also be sexually transmitted. In addition to microcephaly, Zika also has been connected to neurological effects in individuals of any age, including a link to the onset of Guillain-Barre syndrome, which can cause paralysis for months. One bite from an infected mosquito could damage the course of a life forever.

We need only look back a few chapters in our own history books to understand how important it is for humanity to find a vaccine for a virus like Zika.

In 1953, there were 35,000 annual cases of polio in the United States. Mothers and fathers all across America were frightened that their children would be next to contract the debilitating disease. Two U.S. researchers, Dr. Albert Sabin and Dr. Jonas Salk, were locked in a historic race to develop a safe and effective polio vaccine. Fortunately, they were both successful. Today, those vaccines have virtually eliminated polio around the world.

Now, in 2016, millions of parents and dozens of countries around the world are once again praying that the medical community can be catalyzed to develop a solution for today's global disease threat—the Zika virus.

We are fortunate that in today's new race for a cure, there are at least three leading Zika vaccine candidates. Last month, I toured the laboratories at Beth Israel Deaconess Medical Center in Boston, which is collaborating with Walter Reed Army Institute of Research. Their vaccine candidate has been found to offer universal protection against the Zika virus in laboratory tests. The results were so promising that the vaccine will be tested in a small group of individuals—human beings—this fall.

There are two other vaccine candidates also showing positive results. One is made by the National Institutes of Health and the other by Inovio Pharmaceuticals. Both are far enough along that they are already utilizing human subjects, but if the current trials in-

volving just the small groups are successful, we will need to provide much more funding to cover the costs of expanding this research to thousands of participants. That next step in the Zika clinical trials, if both of these candidates that I just mentioned are successful, could cost upward of \$100 million to \$200 million, beginning as soon as this January, if these clinical trials are successful with small numbers of human beings. That is a small amount of money when one considers that the cost of caring for one infant born with Zika-caused microcephaly will cost potentially up to \$10 million through the life of that baby.

Six months ago, knowing the impending and impending threat of Zika once we entered the warm, mosquito-loving, hot summer months, fueled further by climate change, President Obama requested \$1.9 billion in emergency funds from Congress to combat Zika, but instead of approving emergency funding at the start of the summer, Republicans, unfortunately, did not finish the business that we should have finished before they recessed Congress for 7 weeks. Families cancelled their summer vacations out of fear, while Republicans made Congress go on a vacation. Meanwhile, cases of Zika on our own soil, in Puerto Rico, and around the world ticked higher and higher.

Whether it is Zika, Ebola, SARS, or the next global pandemic, we simply cannot treat every global health threat like a game of Whac-A-Mole. We need a sustainable and comprehensive emergency medical system that is put in place so we can respond to all emerging infectious disease threats.

First, we need a Federal fund that is readily available for use when a global disease represents itself. Second, we need a single person at the White House responsible for organizing domestic efforts as well as liaising with our international partners in the face of an infectious disease pandemic. We did this on Ebola. We should do it for every global health threat.

The truth is, though, that if on Ebola we had already had a pandemic response team in place, we probably could have cut the amount of death and harm that was done by that disease by a dramatic amount, but the most important thing we need right now is we need the congressional Republicans to stop playing politics and work with Democrats to pass a real and serious response to the Zika crisis, including emergency funding. The fastest way to do this is for the House to bring a bipartisan, Senate-passed \$1.1 billion compromise bill to address the Zika epidemic and bring it up for a vote. We have already passed that through the Senate. House Republicans should just take it up, vote on it, and we will get it done. It is only a matter of time before the fear of local transmission in Florida becomes the reality for nearly every State in this Nation. That is why immediate funding is a critical component of the U.S. and global fight

against the Zika virus. We have the intellectual capacity to develop faster diagnostic tests, efficient vaccines, and advanced therapeutics with Zika, but what we need now is the financial certainty to support this kind of work in an accelerated way. The next pandemic that awaits the global community is just one frequent flier account away. This crisis demands that Congress pass a Zika funding package as soon as possible. The continuation of vaccine development depends on it, our ability to stop the spread of the virus depends on it, and the lives of millions of people around the world depend on it.

We won the race against polio in the 1950s. With accelerated funding, we have the opportunity today with these three vaccine candidates and others on the way to find a safe and effective solution to combat Zika by 2018. It is time to recognize the threat to humankind and the impact such a harmful disease will have on an entire generation of children by ensuring our 21st century scientists—our Sabins and Salks—have the funding they need to banish this virus to the history books.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

#### HONORING NEBRASKA'S SOLDIERS WHO LOST THEIR LIVES IN COMBAT

Mrs. FISCHER. Mr. President, I rise to continue my tribute to Nebraska's heroes and the current generation of men and women who have given their lives defending our freedom in Iraq and Afghanistan. Each of these Nebraskans has a powerful story.

CAPTAIN ROBERT J. YLLESCAS

Today I will reflect upon the life of Army CPT Robert Yllescas of Osceola, NE.

Rob's life began in Guatemala, where he was born and raised. His mother Barbara would often bring young Rob to Nebraska during visits to her family in Osceola. When in Nebraska, Rob made plenty of friends, and he fell in love with the good life.

He also met a young girl named Dena, who would one day become his wife. After graduating high school in Guatemala in 1996, Rob moved to Nebraska permanently, and he enrolled at the University of Nebraska-Lincoln. He also enlisted in the Nebraska Army National Guard. Rob had always wanted to serve in the military. He hoped to become a general one day. With this in mind, Rob enrolled in Army ROTC at UNL.

Fate had something else in store for Rob during his college years too. He reconnected with Dena. They fell in love, were engaged a year later, and were married on July 29, 2000. Rob continued his studies and training, later graduating from UNL in May, 2001, receiving his commission as a second lieutenant in the U.S. Army.

That August, Rob and Dena welcomed the birth of their first daughter,

Julia. A short time later, Lieutenant Rob Yllescas began his first Active-Duty assignment on September 10, 2001. The very next day, everything changed for Rob, his family, and our Nation. America's military priorities transformed dramatically, focusing on a new mission to combat terrorism.

From the beginning of his military service, Rob's commanding officers took note of his character and his leadership. One commander said, "Yllescas was an extraordinary person to be around. He brought that 'lead from the front' mentality into his work."

Another soldier who served with him said Rob "was strong as an ox with a smile as big as Nebraska."

Over the next several years, life became fast-paced for the Yllescas family. Rob deployed to Iraq in 2003 for a year, and then he returned for a second deployment in 2005, when the fighting grew more intense. Returning home to Nebraska in 2006, Rob continued to excel in the military, later graduating from Army Ranger School. Rob achieved the rank of captain and was assigned to the 6th Squadron of the 4th Cavalry Regiment. He took command of Bravo Troop, known as the Blackfoots.

After nearly 2 years of training and earning the respect of his troops, Rob learned he would deploy to Afghanistan. Shortly before his deployment, Rob and Dena welcomed their second daughter, Eva, on February 1, 2008. Upon arriving in Afghanistan, Captain Yllescas and Bravo Troop were stationed at Camp Keating. This outpost, located in the eastern province of Nuristan, was known to many as the most dangerous territory in Afghanistan. Camp Keating had been under constant attack since becoming operational in 2006. Two prior camp commanders had been killed before the Blackfoots arrived.

Once again, Captain Yllescas made an immediate impact. His lead-from-the-front approach earned the respect of his men and improved the relations with the local Afghan leaders. Rob carried himself with a grace that would calm the nerves of these community leaders, and he often met with them unarmed and without that full battle rattle, but his charismatic style and the improved relations quickly became a threat to the enemy forces in the region.

Camp Keating, located in the Kamdesh District, was known to American troops as the "Tip of the Spear." Al Qaeda and militants moved freely through this area from safe havens in Pakistan. They filtered weapons and ammunition through this region to engage with coalition forces throughout Afghanistan.

One soldier described his tour at Camp Keating, saying: "I was either extremely bored or extremely terrified." For months, Captain Yllescas and his Blackfoots continued their focus on improving relations with the local Afghan community, and things

seemed to be moving in the right direction.

As Captain Yllescas made progress, he also drew the attention of the enemy militants. By the fall of 2008, they were coordinating plans to remove this threat to their supply chain. On October 28, 2008, a remotely controlled IED was detonated and seriously wounded Captain Yllescas as part of a planned assassination attempt. Rob was quickly evacuated out of Afghanistan. He was stabilized and moved to the Bethesda Naval Medical Center outside of Washington, DC.

Throughout this time at the medical center, Dena remained at his side. During Rob's second week at Bethesda Medical Naval Center, President George W. Bush visited him on November 10 and personally awarded him the Purple Heart. Rob's best day occurred when his daughter Julia entered his hospital room. Just seeing Julia seemed to ease his mind.

Ultimately, Rob's severe leg and head wounds were too much to overcome. CPT Robert Yllescas died on December 1, 2008. A week later, the auditorium in Osceola, NE, was filled to capacity with people honoring their hometown hero. In the time since, Dena and Rob's mother Barbara have become very active in the Gold Star family activities throughout Nebraska. His daughters Julia, who is now 15, and Eva, now 8, are also active in this cause. The two of them are well known for their beautiful voices and singing of patriotic songs at veterans events.

For his service to our Nation, CPT Rob Yllescas earned many military decorations. Among the many important badges and decorations he earned, Captain Yllescas was awarded the Bronze Star, Purple Heart, Iraq Campaign Medal, Afghanistan Campaign Medal, and the Ranger Tab. CPT Robert Yllescas embodied the pride of his State, served his country, and loved his family. I am honored to tell his story.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

#### ZIKA VIRUS FUNDING

Mr. MENENDEZ. Mr. President, I rise to voice my concern as an American and my outrage as a grandfather-to-be about the lack of action to fund our response to the Zika epidemic. Zika has come to Miami, FL, and Congress needs to step up and provide the necessary funds to fight this terrible virus.

Zika is like any other national emergency, and we are a nation that always—always—responds to emergencies. While I am encouraged with the news that Republicans are seeing fit to do their job and drop some of the conditions in their Zika bill, which this body has voted down three times already, there is no excuse for any further delay—no excuse for doing nothing while Americans face a risk that we have the power to mitigate.

The alarms have been ringing for months. We knew Zika wasn't coming, but instead of being proactive and prepared for what was about to hit our shores, Republicans in Congress chose to poison our response with rightwing ideological policy riders that prevented us from appropriately addressing this issue. To make matters worse, rather than removing these unacceptable provisions from the bill, they simply chose to ignore it entirely and send Congress on vacation without acting.

Since that time, we have had at least 43 instances of locally acquired Zika in the Miami area and nearly 16,000 locally acquired cases in Puerto Rico. In the 50 United States, we now have 3,000 total cases, including those that were acquired outside of the country. Most frightening for families throughout our Nation is that we know of at least 1,751 cases of pregnant women infected with Zika—a truly devastating diagnosis for everyone involved.

Today we have heard from the head of the National Institutes of Health's Infectious Disease Institute that without immediate funding, the current ongoing clinical trials into a Zika vaccine will be forced to shut down—putting a halt to any real chance we have of developing a preventive vaccine in the near term.

We, as Democrats, have fought the opposition to pass the President's request for \$1.9 billion to battle Zika. In May, the Senate, in a bipartisan compromise, agreed by a vote of 89 to 8 to fund \$1.1 billion in response funding, but that bipartisan agreement was derailed in the House of Representatives, where Republicans insisted on adding a poison pill provision that had nothing to do with Zika and everything to do with seizing the opportunity to pursue an anti-family political social agenda that would prohibit family planning clinics from getting Zika funds—directly impacting the health of women in the most high-risk areas at a time that we know Zika can be contracted not only by a bite of a mosquito but by sexual intercourse.

Every major health organization, from the Centers for Disease Control to the World Health Organization, to the American Congress of Obstetricians and Gynecologists, has recommended that the best course of action is to increase access to contraception and family planning services to decrease transmission of the virus.

Today I call, once again, on the majority leader and the Speaker of the House to address this crisis now. Let's do our jobs and help keep the American people safe, healthy, and secure by addressing this crisis with everything we have and all we can provide to women and families who face an emergency situation no less important and no less threatening than tornadoes, hurricanes, wildfires, or superstorms such as Sandy.

We need to quickly and decisively respond. We are already behind. We have lost critical time and sacrificed the

progress we should have already made to political obstructionism that has prevented us from providing what we need to ensure maximum protection. We need to act now, not tomorrow, not the next day, not next week—now. But here we are 7 months after the President's original call for an emergency response to Zika and 5 months—long before Miami had become ground zero for the virus in the continental United States—5 months before the first confirmed cases of locally acquired transmission occurred and began to spread.

My Republican colleagues talk a lot about national security, about defending this Nation and its people and I agree with them, but there are many ways to defend America from the many threats we face, and Zika is one of them. If we believe what we say about keeping America and Americans safe, then quickly passing the necessary funding to defeat Zika is in the personal security interest of the United States.

We are dealing with a virus that has tremendous costs. We do not yet know all the potential birth defects that Zika can cause, and we do not know all the potential effects of microcephaly to a newborn or the life expectancy of a Zika baby, but the health care costs for the 31-year-old mother in Hackensack, NJ, who gave birth to the first Zika baby born in the United States, will, no doubt, be staggering—in the millions of dollars.

At the end of the day, protecting our people from an insidious virus that ultimately can affect the next generation that is being born is in fact protecting the public. In my mind, it is not acceptable to play politics with a national emergency. We can have all the debates in the world about family planning and access to women's health care, but we are delaying the possibilities of a vaccine being prepared, of mosquito abatement to limit the population of infected insects. We are denying care to those women who could be or are infected. We need to act now and pass the necessary funding just as we do in any national emergency, against any threat or any enemy, and Zika is a real and direct threat.

I can talk from personal experience. It has affected my family and me. My daughter lives in Miami. She is now 6 months pregnant with her first child, and I am deeply concerned about her health, her well-being and the well-being of my first grandchild. While this moment is a moment of great joy, every young mother already has concerns about the normal course of events: Will my child be healthy? Will my child be safe and free from illness? These are normal concerns, but Zika adds a new dimension to those normal worries, and we could have done something to stop it if it were not for Republican obstructionism in the House. Shame on us that we have not done all we could to mitigate the fear that young mothers are feeling, and that fear is palpable. It cannot be ignored,

not by me, not by any father, not by any grandfather, and it should not be ignored by Republicans in Congress. This isn't for me or my daughter. It is too late for her to take advantage of a vaccine or cure, but it is not too late for other mothers and their children across this country. How can we, in good conscience, not do all we can to attack this problem as best as we can?

My daughter has taken precautions and is doing everything possible to protect herself, but this issue goes beyond the personal aspect of what is happening in my family, and while having a child is a moment of great joy, any woman who is pregnant in Miami—actually, in reality, this knows no limitations geographically. It will continue to spread across the country. It is an added risk that is very real and should be of deep concern to all of us.

We want to protect our children. We talked about that in many different dimensions in different debates, whether it is about education or health care, and now we are doing something that every person who is a father or may be a grandfather understands very clearly. Every woman who serves in the Senate and has had a child understands very well the whole emotional process that goes on, like worrying about that child, taking care of themselves, having the right nutrition, and doing all the prenatal care they have to do so they can have a child who is born healthy.

Women throughout the country are doing their best to protect themselves to the extent that they can, but not all of them have the ability to do something about it like those of us in this Chamber. It is our responsibility, obligation, and duty to act in the interest of every family who cannot do what we can by simply passing this legislation and doing it now.

The alarms have been ringing for months. We knew Zika was coming, but instead of being proactive and prepared for what was about to hit our shores, Republican leaders in Congress chose to ignore the warning signs and adjourn Congress without acting. Now we are back and our Nation faces an emergency. We are here. There are no excuses. There is no political justification for inaction. At the end of the day, lives are at stake and we swore to protect every American. I call on my colleagues in both Chambers to put this nonsense aside, stop the pointless political posturing, and do your job.

We are living in a political season that has devolved into a race to the bottom. Let's not participate in that race by letting the rigid, fundamentalist social agenda with the most extreme elements in our politics overrule common sense and shared values in the face of a crisis and danger to America.

We know what is right. We know what we have to do, and now is the time to do it. It is with that hope that we break the shackles of this absurd political obstructionist chain that is holding us back from doing what is right and necessary.

I look forward to next week—since it seems we will be out of session now—ultimately addressing the concerns that women and families have across this country. We hear a lot about the protection of the unborn. Well, this is the very essence of being able to protect the unborn from an insidious disease that can affect their lives forever.

I hope the conscience of the Senate will ultimately move itself to its better judgment.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### WRDA

Mr. CARDIN. Mr. President, I take this time on the floor to first express my appreciation to the leadership for bringing forward the Water Resources Development Act. I know we are going to have a chance to vote on cloture on Monday, and I just want to thank the leadership for making the bill available for floor time.

I also congratulate Senator INHOFE, the chairman of our committee, and Senator BOXER, the ranking Democrat, because I am a proud member of the Environment and Public Works Committee that has recommended the Water Resources Development Act to the full Senate.

The process that was used by Chairman INHOFE and Ranking Member BOXER is the way the legislative process should work in the U.S. Senate. We had a very open process, where many Members—all of the members of our committee and many other Members of the Senate—participated in one of the most important bills that we consider during the congressional session. It deals with the conservation and development of our water resources and authorizes the construction projects for the improvement of rivers and harbors. In other words, this bill very much affects every State in the Nation because it affects our economy, our environment, clean water, and public health. It is an extremely important piece of legislation.

When we look at the content of this bill, we see that the leaders of our committee were able to work out the right types of compromises so that we don't have a contentious bill before the U.S. Senate. We have a bill that is focused on the purposes of WRDA, to conserve and develop our water resources and to authorize the construction projects for our rivers and harbors.

For Maryland this bill is particularly important. When we look at the WRDA bill, so many projects and so many opportunities in my State are involved. In Maryland we have the Port of Balti-

more, which is the economic hub. I was there last week visiting the Port of Baltimore. I am there frequently. There are tens of thousands of jobs there. It is one of the most active ports in our country. It depends on the WRDA bill for the authorizations of the projects to keep the Port of Baltimore competitive and able to do the important economic work of our region. So for the economic impact that our ports have on America, and certainly the Port of Baltimore and Maryland, this bill is particularly important.

I make a point of being in Ocean City, MD, during the Association of County Conferences and had a chance to see firsthand the impact of these re-nourishing programs that are impacted by the WRDA bill. The protection of the Chesapeake Bay in my State, the largest estuary in our hemisphere, is very much impacted by this bill. The public health of the people of Maryland and indeed our Nation are very much impacted by the Water Resources Development Act.

So let me talk specifically about what is included in this bill that will help the people of Maryland and the people of our country. First, to the economic impact—as I said earlier, the passage of this bill will provide for job growth and economic growth in our country. It also will protect our public health. The dredging and maintenance of our rivers and harbors are paramount to this. As a result of the previous WRDA bills and continuing to this WRDA bill, we in our region are able to maintain our channels. We also have been able to find locations where we can put the dredge material.

For example, in Maryland we had a national model for what we did at Poplar Island. Poplar Island was a disappearing island in the Chesapeake Bay that was basically all submerged. It was an environmental negative. It was a liability. Through the use of deposits of dredge material, Poplar Island has been converted not just to a dredge site but an environmental restoration site and has helped very much in dealing with the diversity of species that we find in the Chesapeake Bay region. Through WRDA authorizations and appropriations, we have been able to convert a negative on our environment to a positive and at the same time find a way to use dredge materials to keep our harbors open. That is a win-win situation, and it is those types of projects that are included in the Water Resources Development Act.

But there are many other communities. In Maryland we have the Port of Baltimore—I talked about that—but we have a lot of smaller ports and harbors in Maryland. During the break I visited Salisbury, MD. They have a port. They want to expand their port so they can not only import products as they do, but use it as an export location. In Salisbury, they have Chesapeake Shipbuilding, which is one of the premier shipbuilding facilities we have,

and they benefit from what is done in Salisbury Harbor. By way of example, I want to point out to the people I represent in Maryland the important economic projects that are very much impacted by the passage of the Water Resources Development Act.

The economic impact goes beyond just what we do in our harbors; it also involves our shoreline protection. While I was in Ocean City, I visited with Mayor Meehan, the mayor of Ocean City, who pointed out to me what happened during the last storm. We get storms along the East Coast; we always get storms. But he pointed out to me the impact that the beach re-nourishment programs have had in minimizing damage to property and to the shoreline. We invest in beach re-nourishment as basically an insurance policy against damage that could be much greater. We could have our money back and much more through the investments we make in beach re-nourishment in the Water Resources Development Act. I can state that people who have their homes and businesses in Ocean City, MD, very much appreciate the fact that this Congress is paying attention to this issue.

Then I can go to Smith Island. Smith Island is the last habitable island in Maryland on the Chesapeake Bay. It is eroding, and it has serious issues about its sustainability. For the people who live on Smith Island, it is not only their homes but part of the history of our State and Nation that they are preserving. We have provided in the WRDA bill a way that we can do living shorelines so a community like Smith Island continues to be safe from the devastation we are seeing with erosion. I am proud of all those provisions that are in this WRDA bill that will help us deal with those issues.

As I pointed out earlier, the WRDA bill is important for our Chesapeake Bay. The Chesapeake Bay is the largest estuary in our hemisphere. I talk about it frequently on the floor of the U.S. Senate. It has been declared by many presidents as a national treasure. It is a national treasure. We have a comprehensive program in partnership with the Federal Government and with the State governments of five States and the District of Columbia. We have a partnership with local governments, with the private sector, and we are making progress.

In this bill, to give one example, we increased the authorization for oyster recovery programs. I was proud to offer this amendment from \$60 million to \$100 million, almost doubling the dollars that are going to be available for oyster recovery programs. Why is that important? I think most Members understand that oysters are cash crops. It is nice to be able to harvest oysters and be able to serve them and to use them as watermen do. So we are increasing dramatically the number of oysters that can be harvested, using new methods, including ways in which we can seed oysters off the bottom, as

well as on the bottom of the river, and it is taking. We are seeing our oyster crops increase dramatically, which is helping the economy of the watermen of Maryland in our region.

Oysters are also a filtering agent for the Chesapeake Bay. They cleanse the water. They give us a better quality water in the Chesapeake Bay, which helps all species and the future of the Chesapeake Bay. We were down to a small percentage of the historic crop of oysters when we started the recovery program. Now that we have been in the recovery program, we are recovering a significant number of oysters. We are not there yet; we have got a lot more to do. But this extra Federal help in oyster recovery will certainly help in that regard.

Oysters also, by the way, build the infrastructure for the different species within the Bay. They actually become what the living organisms can live on and produce the type of food chain necessary for a healthy diversity within the Chesapeake Bay. So I was particularly pleased that the committee recommended my amendment to increase our programs for oyster recovery.

This bill also deals with clean water. In the 111th Congress, when I was chair of the Water Subcommittee of the Environment and Public Works Committee, I filed S. 1005, which deals with our State revolving funds. Let me explain for my colleagues—I think most know—that the State revolving funds are the major Federal partnership to help local governments deal with safe drinking water and clean water.

Wastewater treatment is done through State revolving funds. We have taken some actions in order to modernize this program. In this WRDA bill, we incorporate many of the elements of the legislation that I filed that will update and improve the revolving loan programs. It makes it much more predictable and flexible for our States, so they can plan their projects accordingly, which is critically important for safe drinking water and economic growth. We expand the eligibility to include preconstruction, to deal with replacement and rehab, and for the first time allow these funds to be used for source water protection plans so that we actually can make sure we are getting safe water into our water supply.

We also allow for the prioritization of sustainability, and we provide incentives for water efficiency that is cost saving and uses better technology, so that the way we handle our water can be done with less leakage, less waste, less energy, and more efficiency, which saves money.

There is \$900 million authorized for the Water Resources Research Act, and I was pleased to offer that to the committee, and I was pleased it was included in the final bill that is before the committee.

Let me talk for a moment about public health. The WRDA bill also deals with public health, which is very important. I know every Member is aware

of what happened in Flint, MI, on lead poisoning. We know how tragic that was. We know how many families and children were directly impacted by decisions that were made there. This bill does much to deal with the tragedies in Flint, but Flint is not unique in the risk factors to our children on the exposures to lead.

I can give Baltimore City as an example. The schools in Baltimore City have turned off their water fountains because it would not be safe for the children in schools to use the water fountains that are there. The pipes that lead into the schools are contaminated by lead. The city doesn't have the resources to replace those pipes that come in and therefore have closed the water fountains and use bottled water instead.

So we have problems in our water infrastructure in America as it relates to the vulnerability of exposure to excessive lead. I think the Presiding Officer is aware that there is no acceptable level of lead in a child's blood. We know that lead in the blood of children has an impact on their capacity to grow. I will give one example. Freddie Gray, who was tragically killed over a year ago in a police incident that caused a disturbance in Baltimore, had high levels of lead from his youth in his blood.

These are matters we could take steps to correct, and this WRDA bill does exactly that. First, it takes many of the provisions of the bill that I filed working with many of my colleagues. It called for true leadership. We put together many of our ideas on what we can do to combat lead poisoning. I put that bill together with my colleagues and filed that bill with Senator INHOFE and Senator BOXER's leadership. We were able to incorporate many of those provisions—most of those provisions into this WRDA bill that is now before the U.S. Senate so that we will be able to give public notice and transparency when public officials discover an unacceptably high level of lead in the water system. The public will know, and they can avoid the risks.

We are providing money for testing of schools, testing of childcare centers, and individual children. In Maryland every child between 1 and 2 years of age will be tested to see whether they have excessive lead levels in their blood. There is truly an all-out effort.

There is one provision I want to underscore. There is \$300 million in this bill so we can secure the last line of pipe coming from the main sources into homes. There are a lot of individuals, families, and low-income families who live in homes where the water system itself is safe but the pipes that lead into their home produce lead and subject their families to lead poisoning. They don't have the resources to correct it, and this bill provides a program where low-income families can get help in correcting the pipes that feed into their house to make sure they are lead-free so their children aren't susceptible to lead poisoning.

These are all good-news issues. I appreciate the time and attention given to this, but I wanted to emphasize that this bill is a very important bill. It contains issues, as I said, from protecting our environment to our public health, to our economy. It is a bill that deserves the strong support of the Members of the Senate. I hope my colleagues in the House will also approve this bill.

It reflects the hard work and leadership of Senator INHOFE and Senator BOXER and the Environment and Public Works Committee and many Members of the Senate. I am very proud to support this legislation.

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

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

Mr. BOOZMAN. Mr. President, I ask to speak in morning business for up to 10 minutes.

The PRESIDING OFFICER. The Senator is recognized.

#### HONORING CORPORAL BILL COOPER

Mr. BOOZMAN. Mr. President, I rise to honor the service and sacrifice of Corporal Bill Cooper of the Sebastian County Sheriff's Office. Corporal Cooper gave his life in the line of duty on August 10, 2016. As a veteran of the U.S. Marine Corps who spent 15 years in the Sebastian County Sheriff's Office and 6 years with the Ft. Smith Police Department, Bill Cooper was a true public servant.

Corporal Cooper was remembered by his colleagues as a model law enforcement officer who did things the right way. He loved the men and women he worked with, and he exemplified what many in law enforcement aspire to, which was being an officer who never failed to show how much he cared about his community.

As such, he continued to serve long after he was eligible to retire. Cooper was also a devoted husband, father, and grandfather who loved his family very, very much. Last month, Corporal Cooper responded to a domestic call involving an armed suspect near Hackett, AR. The suspect opened fire on Cooper and Hackett police chief Darrell Spells.

Corporal Cooper was fatally wounded. Chief Spells and Greenwood K-9 officer Kina were injured. The suspect later surrendered and was taken into police custody. In a true testament to the impact that Corporal Cooper had on so many who served with him or knew him, he was laid to rest at a funeral service attended by several thousand people, including law enforcement officers from across the State and around the country. His colleagues and friends

remembered him to have always treated citizens with respect and dignity, while also being a loyal partner and friend.

While our hearts break for those who knew him, we also respect and admire Corporal Cooper for his lifetime of service. He truly was someone who ran toward danger in order to protect others. Corporal Cooper was a hero, and today we honor his sacrifice. My thoughts and prayers are with his wife Ruth, his son Scott, along with many other family members, friends, and colleagues in the law enforcement community.

I humbly and sincerely offer my condolences and my gratitude to them as they grieve for Bill. Bill was a classmate of mine at the Northside High School in Fort Smith. We as a class are very, very proud of him for his sacrifice, for our safety, but also, and certainly as important, the way he lived his life. May we always remember Corporal Cooper's life and legacy of service.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### U.S. INTERNATIONAL TRADE COMMISSION

Mr. HATCH. Mr. President, today the U.S. International Trade Commission, or the USITC, is celebrating its 100th anniversary. That makes today an appropriate day for us to acknowledge the distinguished service that this independent and nonpartisan Federal agency has provided, and continues to provide, in the field of international trade.

Mr. WYDEN. Mr. President, I concur with Senator HATCH and also congratulate the USITC on its centennial and commend the agency for its service over the last century.

Established by the Congress as the U.S. Tariff Commission on September 8, 1916, the agency was reconfigured and redesignated as the USITC by the Trade Act of 1974. As mandated by Congress, the USITC performs three principal functions: No. 1, fairly and objectively administer U.S. trade remedy laws within its mandate; No. 2, provide the Congress, the President, and the United States Trade Representative with independent analysis, information, and support concerning matters related to international trade, tariffs, and U.S. competitiveness; and No. 3 maintain the Harmonized Tariff Schedule of the United States.

By successfully executing these functions, the USITC performs a valuable service to the U.S. Government and the American people. Those of us in Con-

gress particularly appreciate the highly technical data and analyses that the USITC provides to help inform our formulation of U.S. trade policy.

Mr. HATCH. Mr. President, of course, the core of the USITC's success derives from the agency's people. For decades now, the impressive and skilled commissioners and staff at the USITC have driven the agency's success. We congratulate the USITC for reaching this centennial milestone and for accomplishing a well-deserved tenure of valuable and professional service.

#### RECOGNIZING THE JEFFERSONTOWN POLICE DEPARTMENT ANGEL PROGRAM

Mr. MCCONNELL. Mr. President, I have spoken many times on this floor about the threat that opioid abuse represents to our country. Rates of substance abuse have been on the rise in recent years, and Kentucky has been hit particularly hard by this epidemic. A recent State report from the Kentucky Office of Drug Control Policy said that, last year, over 1,200 deaths in the Commonwealth were caused by drug abuse.

Well, I am glad to share with my colleagues some good news in the fight against opioid abuse in Kentucky. This August, I visited with and saw up close a program that is changing how law enforcement deals with drug addiction, a program that is saving lives. It is the Jeffersontown Angel Program, an initiative spearheaded by the Jeffersontown, KY, Police Department.

At the Jeffersontown Police Department, a priority has been placed on getting treatment for folks who request help for their addiction to opiates by connecting them with local treatment facilities. In many cases, those with substance-abuse disorders can be taken immediately to a treatment facility to start their recovery. People who abuse drugs can also turn over their drugs or drug equipment without being charged with a crime.

The new Jeffersontown Police Department Angel Program is the first of its kind in Kentucky. It is modeled after a successful program launched in Gloucester, MA, in 2015, which has so far referred more than 450 people to treatment and produced a 33 percent reduction in property crime rates.

That evidence was enough to convince Jeffersontown Police Chief Ken Hatmaker. "When you can have a 33 percent drop in property crime," he says, "I'm going to listen."

While the Jeffersontown Police Department remains strenuously committed to investigating, pursuing, and arresting drug traffickers to the fullest extent of the law, the Angel Program helps reduce those traffickers' clientele by working to remove the stigma of addiction and making it easier to access recovery programs.

Fighting drug abuse is a cause I have embraced here in the Senate as well, and it has been a focus of mine for

many years. I have traveled throughout the Commonwealth speaking with people, learning about the scope of substance abuse in my State, and working with Kentuckians to combat it.

A few years ago, I convened a listening session in northern Kentucky, a region particularly hard hit by this epidemic, to hear from informed Kentuckians in the medical, public health, and law-enforcement fields. I testified before the Senate's Drug Caucus to share my findings with my colleagues.

I have also met with the Nation's Director of National Drug Control Policy—better known as the drug czar—and successfully persuaded him to visit Kentucky to see firsthand the damage done by drugs. His visit and greater Federal funding for law enforcement in Kentucky have both been a part of a multilayered strategy to stop drug trafficking.

I also made it a priority to pass the Comprehensive Addiction and Recovery Act, or CARA, a bill I was proud to see recently signed into law. CARA is a comprehensive approach to tackling the opioid drug epidemic that bolsters treatment, prevention and recovery efforts, and gives law enforcement tools to help those already suffering with addiction and help prevent more senseless loss of life.

CARA authorizes new grants for vital, lifesaving programs to help treat those suffering from drug addiction. It also includes several important policy reforms. It will expand treatment by giving prescribing authority to nurse practitioners and physician assistants to administer medication-assisted treatments for opioid addiction. It will increase the availability of naloxone, which can instantly reverse a drug overdose, to law enforcement agencies and other first responders. And it will strengthen and enhance prescription drug monitoring programs to crack down on "doctor shopping."

Substance abuse destroys lives. It increases crime, rips apart families, and leaves too many bodies in its wake. I want to commend the Jeffersontown Police Department for launching the Angel Program and leading the way in Kentucky in efforts to battle substance abuse. With the good work done by the Jeffersontown Police Department, along with the continued efforts we are doing here in Congress, I believe we can fight back against this scourge of addiction, and reduce its devastating effects.

The Louisville Courier-Journal recently published an article describing the Jeffersontown Police Department's Angel Program. I ask unanimous consent that said article be printed in the RECORD.

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

[From The Louisville Courier Journal, Aug. 25, 2016]

J-TOWN'S NEW STRATEGY TO COMBAT ADDICTION

(By Amanda Beam)

Sgt. Brittney Garrett wants to save lives through changing attitudes.

Her influence can be seen in the waiting area inside the Jeffersontown Police Department, the law-enforcement agency for which she works. Pamphlets about overcoming substance abuse and local addiction support groups can be found on most every table there.

This lobby welcomes with acceptance, not doubt, supporting the revolutionary initiative Garrett has embraced.

It's called The Angel Program, and it's redefining the way law enforcement views drug addiction.

Through cooperation with community partners, the initiative gives resources to people searching for sobriety.

During their intake hours of 10 a.m. to 6 p.m. Monday through Friday, the J-Town PD serves as a conduit to connect those who seek therapy for their addiction with providers who can access and provide treatment for their needs. Folks, in most cases, will be immediately taken to a treatment facility to begin their recovery.

People who use can also turn over drugs for disposal to the police without fear of reprisal.

"The hard part isn't coming in," Garrett said of those who enter the station to obtain assistance. "The hard part is getting through your treatment."

Certain exclusions do apply. If you have an active warrant, a felony sex conviction, a violent history or are under 18 years old, you may not qualify. Garrett invites those with questions to phone the station at (502) 267-0503.

Since the program's August 1, 2016 start, seven people have entered the program and been placed directly into residential rehab facilities.

No wait lists. No jail. No criminalization of their illness. Just help is received.

"We have to find innovative ways to deal with the heroin problem," said Garrett, the Angel Program Coordinator. "A lot of it comes down to just being empathetic, compassionate and educated of what we're dealing with."

A NATIONAL SCOURGE

What J-Town and other communities across the nation are dealing with is an epidemic. Heroin use continues to rise, and overdoses soar. Jefferson County on average experiences one overdose death each day.

In addition to health concerns, crime has risen in the town of about 27,000. Increased thefts, general incidence reports and car accidents occur as ramifications of drug use. Garrett has even seen an uptick in more serious offenses as well.

"Especially on the level of law enforcement, when you deal with people with substance abuse disorder on the street, it's always bad. It's never good. It's someone committing a crime," Garrett said.

"It's hard for us to see the human side of addiction, that you committed a crime because of your addiction."

But humanizing those with substance-abuse issues is a hallmark of the program's creation.

THE BEGINNING

The Gloucester Police Department in Massachusetts established the now national initiative in 2015, with the aim of targeting the demand side of the drug problem. Get help for those who are addicted so they stop using, and both supply and crime should go

down too. Furthermore, law-enforcement agencies would face less strain on their limited resources, and be able to concentrate on serious criminal cases.

Not only did they find these actions more compassionate, but also more successful.

So far, roughly 400 people have been referred to treatment facilities through the Gloucester program. As predicted, drug-related crimes in the surrounding area fell by more than 30 percent. Costs for treatment also fall far below the price of housing prisoners, providing another incentive.

"If you have a choice between a bed in incarceration, or a bed in treatment, I'm for the bed in treatment," said Jeffersontown Police Chief Ken Hatmaker.

Enforcement still remains important, he added. When people break the law, consequences must be faced.

But providing treatment opportunities to those suffering from substance-use disorder can stop many of the more serious crimes from happening in the first place, a balancing act between service and enforcement that Hatmaker has learned to embrace.

"That's what it took for me to buy in was the education," the chief said. "When you can have a 33 percent drop in property crime, I'm going to listen."

THE IMPACT

Changing perceptions isn't always easy for law enforcement or those who find themselves addicted. At times, both face stereotypes. The program aims to correct these biases and facilitate greater communication between the police department and the larger community.

"People tend to believe that (substance-abuse disorder) is a moral failing, that people chose to have a life of destruction, which couldn't be further from the truth," said Tara Moseley, a recovery advocate and Angel Program volunteer.

Moseley understands the impact of addiction. For more than five years, the 30-year-old Louisville resident has been in recovery. Now, through her work in organizations like Young People in Recovery and the Angel Program, she tells others with the illness that better days can be in their future.

"People need to know there is a way out and that there is hope," she said. "A program like the Angel Program, they actually do all that stuff for you. They're going to help you and take you where you need to go and make sure you are in somewhere and it's right now."

The immediacy of the initiative plays a key role in its ingenuity. Those seeking assistance oftentimes face long wait lists to get into residential treatment. Not so with the Angel Program.

"Unfortunately, as it relates to the drugs of choice today, it's very possible they are risking their lives by waiting on a waiting list," said Jennifer Hancock, president and CEO of Volunteers of America (VOA) Mid-States, a non-profit partner of Angel Program.

In addition to providing a staff member to help with the station's intake center three days a week, VOA also has placed several of the referrals from the program into its facilities.

"It's important that we strike while the iron is hot and make sure we're providing them with immediate access. Otherwise . . . then they're waiting without the security and safety net of a very structured and accountable program, and it's extremely common that they will continue using."

Through several different initiatives that focus on specific populations, VOA maintains 185 residential treatment beds in Louisville and Lexington. More, though, are needed. Only additional funding can alleviate the overwhelming demand.

And that's the tricky part.

The J-Town Angel Program only facilitates people finding treatment. Funding of that treatment remains with the patient and the medical provider. Some facilities have pledged scholarships to the program, and many others can enroll patients in Medicaid or work with them to manage costs if they can't afford the treatment.

But funding doesn't come close to meeting the demand.

"If we have people lined up at our door, that's great," Garrett said. "But if we can't take them somewhere because there are no beds available, no funding for these treatment centers, we're just turning people away at that point and doing the opposite of what we're wanting to do."

Current legislation in Congress called the Comprehensive Addiction and Recovery Act could give more money to address these broader funding problems for treatment initiatives. But until that occurs, the Angel Program will do its best to continue combating the effects of the addiction epidemic one life at a time.

"We've always been counselors and social workers as law enforcement, mediating conflict and these types of things, but this is a whole new level," Garrett said. "We're entering into a new realm."

REMEMBERING SEPTEMBER 11

Mr. LEAHY. Mr. President, it is hard to believe that 15 years ago this Sunday the Twin Towers fell, smoke from the Pentagon could be seen from miles away, and a plane went down in a Pennsylvania field. For those who lived through that horrible day, the memory still feels fresh.

Of course, this is especially true for those who lost loved ones. This weekend, Americans across the country will gather to remember the thousands of innocent lives that were taken so callously and indiscriminately in those terrorist attacks. And we remember the first responders, law enforcement, intelligence, and military personnel who work every single day to keep our country safe.

This year, we must also take a moment to remember the spirit that united us in the days after the attacks. Americans of all races, religions, and backgrounds stood together in solidarity to support one another and stand against the cowardice of terrorism. Following the attacks, President George W. Bush visited a mosque. At a joint session of Congress, he reminded Americans that "no one should be singled out for unfair treatment or unkind words because of their ethnic background or religious faith." In the years after September 11, our country did not always live up to those words, but we must remember the ideals, values, and humanity that sustained us through those first dark days.

In today's political environment, it is easy to lose sight of that common spirit. Some are trying hard to divide us. A Federal judge has been accused of bias because of his ethnic heritage. Religious and ideological tests for visitors to the United States are discussed as though they are serious policy proposals. The sacrifices of war heroes and

Gold Star families are belittled. And that is just the beginning.

On this 15th anniversary of September 11, we must reject this divisiveness. While Americans will continue to mourn the loss of so many on September 11 and in the wars that followed, we will never lose sight of the core principles that so many generations of Americans fought to protect.

Mr. CARDIN. Mr. President, this Sunday we will solemnly observe the 15th anniversary of the 9/11 terrorist attacks that killed 2,977 people from 93 different nations and injured more than 6,000 others at the World Trade Center, the Pentagon, and a field near Shanksville, PA. For those of us old enough to remember, the events of that horrific day are seared into our memories as if they just happened yesterday. Over 3,000 children lost at least one parent on 9/11. Many of these children were too young at the time to comprehend what was happening or to remember it today, even though they suffered such a devastating personal loss. According to the Census Bureau, nearly 59 million Americans have been born since 9/11. Most of these young people learn about 9/11 in school, much the same way an earlier generation of Americans learned about Pearl Harbor.

For those younger Americans who don't remember 9/11, I think it is important for them to understand that the attacks did not just test our character; they revealed it. The worst attack in American history brought out the best in the American people. Americans responded with courage and self-sacrifice, with charity and compassion and volunteerism and with resolve.

There were incredible acts of individual heroism. "Numerous civilians in all stairwells, numerous burn [victims] are coming down. We're trying to send them down first . . . We're still heading up." So said New York City Fire Department Captain Patrick "Paddy" Brown, Ladder 3, as he and 11 of his men climbed an emergency stairwell in the North Tower, making it to the 40th floor before the Tower collapsed. His remains were recovered 3 months later. Three hundred and forty-three members of the New York City Fire Department and 71 law enforcement officers gave their lives while helping evacuate 25,000 people to safety.

"Are you guys ready? Let's roll."—so said 32-year Todd Beamer as he and other passengers aboard United Airlines flight 93 rushed the cockpit in an attempt to regain control of the jet, which the four al-Qaeda hijackers apparently intended to crash into the White House or the U.S. Capitol. The heroism of the flight 93 passengers undoubtedly saved thousands of lives here in Washington. Todd's wife, Lisa, was one of at least 17 pregnant women who became widows on 9/11; Morgan Kay Beamer was born on January 9, 2002.

There were incredible acts of charity and compassion and volunteerism. The National September 11 Memorial & Museum at the World Trade Center has

documented some of them. Ada Rosario Dolch was the principal of a high school located just two blocks from the World Trade Center. On 9/11, she helped to evacuate 600 students safely; meanwhile, Ada's sister Wendy Wakeford was killed. To honor Wendy's memory, Ada helped to build a school in Afghanistan that opened in 2005.

In 2006, Tad Millinger started the "Walk to Raise" campaign with high school friends Brandon Reinhard, Chad Coulter, and Dustin Dean. They walked 650 miles from their hometown of Rossford, OH, to New York City to raise money for the National September 11 Memorial & Museum at the World Trade Center and the Flight 93 National Memorial in Pennsylvania. Tad is now a volunteer firefighter and emergency medical technician in his hometown.

Sonali Beaven was 5 years old when her father, Alan, was killed on Flight 93. "My loss is central to my identity," Sonali has said. "In a sense, each choice I've made since that day has been crafted by my experience. But, because of my loss and the nature of my loss, I choose love and life every day. Because of my father and the other passengers, I can't let fear limit me. I have to take today and every day and try to improve the world we live in and spread the ideology of love."

There has been resolve. We resolved as a nation to bring to justice the people responsible for 9/11. Roughly 2.5 million Americans have served in the wars in Afghanistan and Iraq; despite the horrors of war and multiple deployments, 89 percent of those veterans say they would join the military again. On May 2, 2011, Navy SEAL Team Six located and killed Osama bin Laden in Abbottabad, Pakistan, in Operation Neptune Spear. The global war on terror is far from over, but I am confident we will prevail. As President Franklin Delano Roosevelt said in his May 26, 1940 fireside chat, "We defend and we build a way of life, not for America alone, but for all mankind."

What I hope our young people—those who don't have a personal memory of 9/11—will understand is that, out of many, we are truly one. That was evident on 9/11, and it is still true. Our partisan, political, philosophical, and regional differences come to the fore during a Presidential campaign. But these differences ultimately are dwarfed by what binds us together as Americans: our hopes for our families, our communities, our Nation, and the world. The best way for all of us to honor those who died on 9/11 is to remember that and act accordingly—courageously, generously, compassionately, and with resolve to defend and promote justice, freedom, and peace at home and abroad.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

#### VOTE EXPLANATION

• Mr. DURBIN. Mr. President, I was necessarily absent from this afternoon's vote on confirmation of the nomination of Peter Michael McKinley to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federative Republic of Brazil.

On vote No. 137, had I been present, I would have voted yea on the McKinley nomination. I hope the Senate will continue to confirm President Obama's highly qualified nominees in the weeks ahead. •

#### BUDGET SCOREKEEPING REPORT

Mr. ENZI. Mr. President, I submit to the Senate the budget scorekeeping report for September 2016. The report compares current law levels of spending and revenues with the amounts the Senate agreed to in the budget resolution for Fiscal Year 2016, the conference report to accompany S. Con. Res. 11, and the Bipartisan Budget Act of 2015, P.L. 114-74, BBA 15. This information is necessary for the Senate Budget Committee to determine whether budget points of order lie against pending legislation. It has been prepared by the Republican staff of the Senate Budget Committee and the Congressional Budget Office, CBO, pursuant to section 308(b) of the Congressional Budget Act, CBA.

This is the sixth report I have made this calendar year. It is the third report since I filed the statutorily required Fiscal Year 2017 enforceable budget limits on April 18, 2016, pursuant to section 102 of BBA 15, and the tenth report I have made since adoption of the Fiscal Year 2016 budget resolution on May 5, 2015. My last filing can be found in the CONGRESSIONAL RECORD on June 8, 2016. The information contained in this report is current through September 6, 2016.

Tables 1-7 of this report are prepared by my staff on the Budget Committee. Only table 1, which tracks compliance with committee allocations pursuant to section 302 of the CBA, has changed from my previous report due to legislative activity. Of the 16 authorizing committees in the Senate, 14 are in compliance with their allocation over the enforceable 10-year period, Fiscal Year 2017-2026. The two committees not in compliance, the Senate Committee on Energy and Natural Resources and the Senate Committee on Environment and Public Works, were pushed out of compliance through passage of the Puerto Rico Oversight, Management and Economic Stability Act, PROMESA, P.L. 114-187, and the Frank R. Lautenberg Chemical Safety for the 21st Century Act, P.L. 114-182, respectively. During this same period, the Senate Committee on Commerce, Science, and Transportation reduced direct spending by \$8 million over the 10-year period with the passage of the FAA Extension, Safety and Security

Act of 2016, P.L. 114-190. In total, table 1 shows that authorizing committees are \$502 million in budget authority and \$483 million in outlays above allowable direct spending levels over the 10-year window.

Tables 2-7 remain unchanged due to the legislative impasse over the Fiscal Year 2017 appropriations process.

In addition to the tables provided by the Senate Budget Committee Republican staff, I am submitting additional tables from CBO that I will use for enforcement of budget totals agreed to by the Congress.

Because legislation can still be enacted that would have an effect on Fiscal Year 2016, CBO provided a report both for Fiscal Year 2016 and Fiscal Year 2017. This information is used to enforce aggregate spending levels in budget resolutions under section 311 of the CBA. CBO's estimates show that current law levels of spending for Fiscal Year 2016 exceed the amounts in last year's budget resolution by \$138.9 billion in budget authority and \$103.6 billion in outlays. Revenues are \$155.2 billion below the revenue floor for Fiscal Year 2016 set by the budget resolution. As well, Social Security outlays are at the levels assumed for Fiscal Year 2016, while Social Security revenues are \$23 million below levels in the budget.

For Fiscal Year 2017, CBO estimates that current law levels are below the Fiscal Year 2017 enforcement filing's allowable budget authority and outlay aggregates by \$974.1 billion and \$592.2 billion, respectively. The allowable spending room will be reduced as appropriations bills for Fiscal Year 2017 are enacted. Revenues are above the levels assumed in the enforcement filing by \$200 million in Fiscal Year 2017, \$410 million over 5 years, and \$544 million over 10 years. This is the product of revenue increases in both PROMESA, \$370 million over 10 years, and P.L. 114-182, \$192 million over 10 years, and an \$18 million reduction in revenues over 10 years from the Comprehensive Addiction and Recovery Act of 2016, CARA, P.L. 114-198. Finally, Social Security outlays are at the levels assumed in the Fiscal Year 2017 enforcement filing, but the enactment of CARA reduced Social Security revenues by \$6 million over 10 years.

CBO's report also provides information needed to enforce the Senate's pay-as-you-go rule. As part of the Fiscal Year 2017 enforcement filing, the Senate's pay-as-you-go scorecard was reset to zero. Since my last filing, legislative activity has resulted in an increase in the deficit of \$81 million over the Fiscal Year 2016-2021 period, but deficit reduction of \$61 million over the Fiscal Year 2016-2026 period. Over the initial 6-year period, Congress has enacted legislation that increased outlays by \$491 million and revenues by \$410 million. Over the 11-year period, outlays were increased by \$483 million and revenues by \$544 million. The Senate's pay-as-you-go rule is enforced by section 201 of S. Con. Res. 21, the Fiscal Year 2008 budget resolution.

Finally, there is one new entry in the enforcement table included at the end of this submission, which tracks the Senate's budget enforcement activity on the floor. On June 29, 2016, a 425(a)(2) unfunded-mandate budget point of order was raised against PROMESA. This point of order was waived through a motion from Senator HATCH by a vote of 85-13.

All years in the accompanying tables are fiscal years.

I ask unanimous consent that the accompanying tables be printed in the RECORD.

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

TABLE 1.—SENATE AUTHORIZING COMMITTEES—ENACTED DIRECT SPENDING ABOVE (+) OR BELOW (–) BUDGET RESOLUTIONS

	[In millions of dollars]			
	2016	2017	2017–2021	2017–2026
<b>Agriculture, Nutrition, and Forestry</b>				
Budget Authority .....	0	0	0	0
Outlays .....	0	0	0	0
<b>Armed Services</b>				
Budget Authority .....	–66	0	0	0
Outlays .....	–50	0	0	0
<b>Banking, Housing, and Urban Affairs</b>				
Budget Authority .....	0	0	0	0
Outlays .....	0	0	0	0
<b>Commerce, Science, and Transportation</b>				
Budget Authority .....	130	–3	–33	–8
Outlays .....	0	–3	–33	–8
<b>Energy and Natural Resources</b>				
Budget Authority .....	0	200	365	370
Outlays .....	0	200	365	370
<b>Environment and Public Works</b>				
Budget Authority .....	2,880	2	72	212
Outlays .....	252	1	57	193
<b>Finance</b>				
Budget Authority .....	365	0	0	0
Outlays .....	365	0	0	0
<b>Foreign Relations</b>				
Budget Authority .....	0	0	0	0
Outlays .....	0	0	0	0
<b>Homeland Security and Governmental Affairs</b>				
Budget Authority .....	0	0	0	0
Outlays .....	0	0	0	0
<b>Judiciary</b>				
Budget Authority .....	–3,358	–9	102	–72
Outlays .....	1,713	–9	102	–72
<b>Health, Education, Labor, and Pensions</b>				
Budget Authority .....	0	0	0	0
Outlays .....	0	0	0	0
<b>Rules and Administration</b>				
Budget Authority .....	0	0	0	0
Outlays .....	0	0	0	0
<b>Intelligence</b>				
Budget Authority .....	0	0	0	0
Outlays .....	0	0	0	0
<b>Veterans' Affairs</b>				
Budget Authority .....	–2	0	0	0
Outlays .....	388	0	0	0
<b>Indian Affairs</b>				
Budget Authority .....	0	0	0	0
Outlays .....	0	0	0	0
<b>Small Business</b>				
Budget Authority .....	0	0	0	0
Outlays .....	1	0	0	0
<b>Total</b>				
Budget Authority ...	–51	190	506	502
Outlays .....	2,669	189	491	483

TABLE 2.—SENATE APPROPRIATIONS COMMITTEE—ENACTED REGULAR DISCRETIONARY APPROPRIATIONS <sup>1</sup>

	[Budget authority, in millions of dollars]	
	Security <sup>2</sup>	Nonsecurity <sup>2</sup>
Statutory Discretionary Limits .....	548,091	518,491
Amount Provided by Senate Appropriations Subcommittee		
Agriculture, Rural Development, and Related Agencies .....	0	21,750
Commerce, Justice, Science, and Related Agencies .....	5,101	50,621
Defense .....	514,000	136
Energy and Water Development .....	18,860	18,325
Financial Services and General Government .....	44	23,191
Homeland Security .....	1,705	39,250

TABLE 2.—SENATE APPROPRIATIONS COMMITTEE—ENACTED REGULAR DISCRETIONARY APPROPRIATIONS <sup>1</sup>—Continued

	[Budget authority, in millions of dollars]	
	Security <sup>2</sup>	Nonsecurity <sup>2</sup>
Interior, Environment, and Related Agencies .....	0	32,159
Labor, Health and Human Services, Education and Related Agencies .....	0	162,127
Legislative Branch .....	0	4,363
Military Construction and Veterans Affairs, and Related Agencies .....	8,171	71,698
State Foreign Operations, and Related Programs .....	0	37,780
Transportation and Housing and Urban Development, and Related Agencies .....	210	57,091
Current Level Total .....	548,091	518,491
Total Enacted Above (+) or Below (–) Statutory Limits .....	0	0

<sup>1</sup> This table excludes spending pursuant to adjustments to the discretionary spending limits. These adjustments are allowed for certain purposes in section 251(b)(2) of BBEDCA.

<sup>2</sup> Security spending is defined as spending in the National Defense budget function (050) and nonsecurity spending is defined as all other spending.

TABLE 3.—SENATE APPROPRIATIONS COMMITTEE—ENACTED REGULAR DISCRETIONARY APPROPRIATIONS <sup>1</sup>

	[Budget authority, in millions of dollars]	
	Security <sup>2</sup>	Nonsecurity <sup>2</sup>
Statutory Discretionary Limits .....	551,068	518,531
Amount Provided by Senate Appropriations Subcommittee		
Agriculture, Rural Development, and Related Agencies .....	0	9
Commerce, Justice, Science, and Related Agencies .....	0	0
Defense .....	45	0
Energy and Water Development .....	0	0
Financial Services and General Government .....	0	0
Homeland Security .....	0	9
Interior, Environment, and Related Agencies .....	0	0
Labor, Health and Human Services, Education and Related Agencies .....	0	24,690
Legislative Branch .....	0	0
Military Construction and Veterans Affairs, and Related Agencies .....	0	60,634
State Foreign Operations, and Related Programs .....	0	0
Transportation and Housing and Urban Development, and Related Agencies .....	0	4,400
Current Level Total .....	45	89,742
Total Enacted Above (+) or Below (–) Statutory Limits .....	–551,023	–428,789

<sup>1</sup> This table excludes spending pursuant to adjustments to the discretionary spending limits. These adjustments are allowed for certain purposes in section 251(b)(2) of BBEDCA.

<sup>2</sup> Security spending is defined as spending in the National Defense budget function (050) and nonsecurity spending is defined as all other spending.

TABLE 4.—SENATE APPROPRIATIONS COMMITTEE—ENACTED OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM DISCRETIONARY APPROPRIATIONS

	[In millions of dollars]	
	BA	OT
OCO/GWOT Allocation <sup>1</sup> .....	73,693	32,079
Amount Provided by Senate Appropriations Subcommittee		
Agriculture, Rural Development, and Related Agencies .....	0	0
Commerce, Justice, Science, and Related Agencies .....	0	0
Defense .....	58,638	27,354
Energy and Water Development .....	0	0
Financial Services and General Government .....	0	0
Homeland Security .....	160	128
Interior, Environment, and Related Agencies .....	0	0
Labor, Health and Human Services, Education and Related Agencies .....	0	0
Legislative Branch .....	0	0
Military Construction and Veterans Affairs, and Related Agencies .....	0	0
State Foreign Operations, and Related Programs .....	14,895	4,597
Transportation and Housing and Urban Development, and Related Agencies .....	0	0

TABLE 4.—SENATE APPROPRIATIONS COMMITTEE—ENACTED OVERSEAS CONTINGENCY OPERATIONS/GLOBAL WAR ON TERRORISM DISCRETIONARY APPROPRIATIONS—Continued

	2016	
	BA	OT
Current Level Total	73,693	32,079
Total OCO/GWOT Spending vs. Budget Resolution	0	0

BA = Budget Authority; OT = Outlays.  
 1 This allocation may be adjusted by the Chairman of the Budget Committee to account for new information, pursuant to section 3102 of S. Con. Res. 11, the Concurrent Resolution of the Budget for Fiscal Year 2016.

TABLE 5.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)

	2016	
	[Budget authority, millions of dollars]	
CHIMPS Limit for Fiscal Year 2016	19,100	
Senate Appropriations Subcommittees		
Agriculture, Rural Development, and Related Agencies	600	
Commerce, Justice, Science, and Related Agencies	9,458	
Defense	0	
Energy and Water Development	0	
Financial Services and General Government	725	
Homeland Security	176	
Interior, Environment, and Related Agencies	28	
Labor, Health and Human Services, Education and Related Agencies	6,799	
Legislative Branch	0	
Military Construction and Veterans Affairs, and Related Agencies	0	
State Foreign Operations, and Related Programs	0	
Transportation and Housing and Urban Development, and Related Agencies	0	
Current Level Total	17,786	
Total CHIMPS Above (+) or Below (-) Budget Resolution	-1,314	

TABLE 6.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAM (CHIMP) TO THE CRIME VICTIMS FUND

	2016	
	[Budget authority, millions of dollars]	
Crime Victims Fund (CVF) CHIMP Limit for Fiscal Year 2016	10,800	
Senate Appropriations Subcommittees		
Agriculture, Rural Development, and Related Agencies	0	
Commerce, Justice, Science, and Related Agencies	9,000	
Defense	0	
Energy and Water Development	0	
Financial Services and General Government	0	
Homeland Security	0	
Interior, Environment, and Related Agencies	0	
Labor, Health and Human Services, Education and Related Agencies	0	
Legislative Branch	0	
Military Construction and Veterans Affairs, and Related Agencies	0	
State Foreign Operations, and Related Programs	0	
Transportation and Housing and Urban Development, and Related Agencies	0	
Current Level Total	9,000	
Total CVF CHIMP Above (+) or Below (-) Budget Resolution	-1,800	

TABLE 7.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)

	2017	
	[Budget authority, millions of dollars]	
CHIMPS Limit for Fiscal Year 2017	19,100	
Senate Appropriations Subcommittees		
Agriculture, Rural Development, and Related Agencies	0	
Commerce, Justice, Science, and Related Agencies	0	
Defense	0	
Energy and Water Development	0	
Financial Services and General Government	0	
Homeland Security	0	
Interior, Environment, and Related Agencies	0	
Labor, Health and Human Services, Education and Related Agencies	0	
Legislative Branch	0	
Military Construction and Veterans Affairs, and Related Agencies	0	
State Foreign Operations, and Related Programs	0	
Transportation and Housing and Urban Development, and Related Agencies	0	
Current Level Total	0	
Total CHIMPS Above (+) or Below (-) Budget Resolution	-19,100	

U.S. CONGRESS,  
 CONGRESSIONAL BUDGET OFFICE,  
 Washington, DC, September 8, 2016.

Hon. MIKE ENZI,  
 Chairman, Committee on the Budget,  
 U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2016 budget and is current through September 6, 2016. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016.

Since our last letter dated June 8, 2016, the Congress has not cleared any legislation for the President's signature that has significant effects on budget authority, outlays, or revenues in fiscal year 2016.

Sincerely,

KEITH HALL.

Enclosure.

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2016, AS OF SEPTEMBER 6, 2016

	[In billions of dollars]		
	Budget Resolution	Current Level <sup>a</sup>	Current Level Over/Under (-) Resolution
On-Budget			
Budget Authority	3,069.8	3,208.7	138.9
Outlays	3,091.2	3,194.9	103.6
Revenues	2,676.0	2,320.7	-155.2
Off-Budget			
Social Security Outlays <sup>b</sup>	777.1	777.1	0.0
Social Security Revenues	794.0	794.0	0.0

Source: Congressional Budget Office.  
<sup>a</sup>Excludes emergency funding that was not designated as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.  
<sup>b</sup>Excludes administrative expenses paid from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund of the Social Security Administration, which are off-budget, but are appropriated annually.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2016, AS OF SEPTEMBER 6, 2016

	Budget Authority	Outlays	Revenues
Previously Enacted: <sup>a</sup>			
Revenues	n.a.	n.a.	2,676,733
Permanents and other spending legislation	1,968,496	1,902,345	n.a.
Appropriation legislation	0	500,825	n.a.
Offsetting receipts	-784,820	-784,879	n.a.
Total, Previously Enacted	1,183,676	1,618,291	2,676,733
Enacted Legislation:			
An act to extend the authorization to carry out the replacement of the existing medical center of the Department of Veterans Affairs in Denver, Colorado, to authorize transfers of amounts to carry out the replacement of such medical center, and for other purposes (P.L. 114-25)	0	20	0
Defending Public Safety Employees' Retirement Act & Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (P.L. 114-26)	0	0	0
Trade Preferences Extension Act of 2015 (P.L. 114-27)	445	175	-766
Steve Gleason Act of 2015 (P.L. 114-40)	5	5	0
Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (P.L. 114-41) <sup>b</sup>	0	0	99
Continuing Appropriations Act, 2016 (P.L. 114-53)	700	775	0
Airport and Airway Extension Act of 2015 (P.L. 114-55)	130	0	0
Department of Veterans Affairs Expiring Authorities Act of 2015 (P.L. 114-58)	-2	368	0
Protecting Affordable Coverage for Employees Act (P.L. 114-60)	0	0	40
Bipartisan Budget Act of 2015 (P.L. 114-74)	3,424	4,870	269
Recovery Improvements for Small Entities After Disaster Act of 2015 (P.L. 114-88)	-6	-1	0
National Defense Authorization Act for Fiscal Year 2016 (P.L. 114-92)	-66	-50	0
Fixing America's Surface Transportation Act (P.L. 114-94)	2,880	252	471
Federal Perkins Loan Program Extension Act of 2015 (P.L. 114-105)	269	269	0
Consolidated Appropriations Act, 2016 (P.L. 114-113) <sup>b</sup>	2,008,016	1,563,177	-156,107
Patient Access and Medicare Protection Act (P.L. 114-115)	32	32	0
Trade Facilitation and Trade Enforcement Act of 2015 (P.L. 114-125)	20	20	-7
Total, Enacted Legislation	2,015,853	1,569,914	-155,996
Entitlements and Mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	9,170	6,674	0
Total Current Level <sup>c</sup>	3,208,699	3,194,879	2,520,737
Total Senate Resolution <sup>d</sup>	3,069,829	3,091,246	2,675,967
Current Level Over Senate Resolution	138,870	103,633	n.a.
Current Level Under Senate Resolution	n.a.	n.a.	155,230

Source: Congressional Budget Office.  
 Notes: n.a. = not applicable; P.L. = Public Law.  
<sup>a</sup>Includes the following acts that affect budget authority, outlays, or revenues, and were cleared by the Congress during this session, but before the adoption of S. Con. Res. 11, the Concurrent Resolution on the Budget for Fiscal Year 2016; the Terrorism Risk Insurance Program Reauthorization Act of 2014 (P.L. 114-1); the Department of Homeland Security Appropriations Act, 2015 (P.L. 114-4); and the Medicare Access and CHIP Reauthorization Act of 2015 (P.L. 114-10).  
<sup>b</sup>Emergency funding that was not designated as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall not count for certain budgetary enforcement purposes. These amounts, which are not included in the current level totals, are as follows:

	Budget Authority	Outlays	Revenues
Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (P.L. 114-41) .....	0	917	0
Consolidated Appropriations Act, 2016 (P.L. 114-113) .....	-2	0	0
<b>Total</b> .....	<b>-2</b>	<b>917</b>	<b>0</b>

<sup>c</sup> For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the resolution, as approved by the Senate, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

<sup>d</sup> Periodically, the Senate Committee on the Budget revises the budgetary levels in S. Con. Res. 11, pursuant to various provisions of the resolution. The Initial Senate Resolution total below excludes \$6,872 million in budget authority and \$344 million in outlays assumed in S. Con. Res. 11 for disaster-related spending. The Revised Senate Resolution total below includes amounts for disaster-related spending:

	Budget Authority	Outlays	Revenues
Initial Senate Resolution: .....	3,032,343	3,091,098	2,676,733
Revisions:			
Pursuant to section 311 of the Congressional Budget Act of 1974 and section 4311 of S. Con. Res. 11 .....	445	175	-766
Pursuant to section 311 of the Congressional Budget Act of 1974 and S. Con. Res. 11 .....	700	700	0
Pursuant to section 311 of the Congressional Budget Act of 1974 and S. Con. Res. 11 .....	0	1	0
Pursuant to section 311 of the Congressional Budget Act of 1974 and section 4313 of S. Con. Res. 11 .....	269	269	0
Pursuant to section 311 of the Congressional Budget Act of 1974 and section 3404 of S. Con. Res. 11 .....	36,072	-997	0
<b>Revised Senate Resolution</b> .....	<b>3,069,829</b>	<b>3,091,246</b>	<b>2,675,967</b>

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, September 8, 2016.  
Hon. MIKE ENZI,  
Chairman, Committee on the Budget,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2017 budget and is current through September 6, 2016. This report is submitted under section 308(b) and in aid of

section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the allocations, aggregates, and other budgetary levels printed in the Congressional Record on April 18, 2016, pursuant to section 102 of the Bipartisan Budget Act of 2015 (Public Law 114-74).

Since our last letter dated June 8, 2016, the Congress has cleared and the President has signed the following acts that have signifi-

cant effects on budget authority, outlays, or revenues: Frank R. Lautenberg Chemical Safety for the 21st Century Act (Public Law 114-182); Puerto Rico Oversight, Management, and Economic Stability Act (Public Law 114-187); Federal Aviation Administration Reauthorization Act of 2016 (Public Law 114-190); and Comprehensive Addiction and Recovery Act of 2016 (Public Law 114-198).

Sincerely,  
KEITH HALL, Director.

Enclosure.

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2017, AS OF SEPTEMBER 6, 2016

[In billions of dollars]

	Budget Resolution	Current Level	Current Level Over/Under (-) Resolution
<b>On-Budget:</b>			
Budget Authority .....	3,212.4	2,238.2	-974.1
Outlays .....	3,219.2	2,627.0	-592.2
Revenues .....	2,682.0	2,682.2	0.2
<b>Off-Budget:</b>			
Social Security Outlays <sup>a</sup> .....	805.4	805.4	0.0
Social Security Revenues .....	826.1	826.1	0.0

Source: Congressional Budget Office.

<sup>a</sup> Excludes administrative expenses paid from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund of the Social Security Administration, which are off-budget, but are appropriated annually.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2017, AS OF SEPTEMBER 6, 2016

[In millions of dollars]

	Budget Authority	Outlays	Revenues
<b>Previously Enacted:</b>			
Revenues .....	n.a.	n.a.	2,681,976
Permanents and other spending legislation ..	2,054,886	1,960,659	n.a.
Appropriation legislation ..	0	504,803	n.a.
Offsetting receipts .....	-834,250	-834,301	n.a.
<b>Total, Previously Enacted</b> .....	<b>1,220,636</b>	<b>1,631,161</b>	<b>2,681,976</b>
<b>Enacted Legislation:</b>			
Frank R. Lautenberg Chemical Safety for the 21st Century Act (P.L. 114-182) .....	2	1	0
Puerto Rico Oversight, Management, and Economic Stability Act (P.L. 114-187) .....	200	200	200
Federal Aviation Administration Reauthorization Act of 2016 (P.L. 114-190) .....	-3	-3	0
Comprehensive Addiction and Recovery Act of 2016 (P.L. 114-198) ..	-9	-9	0
<b>Total, Enacted Legislation</b> .....	<b>190</b>	<b>189</b>	<b>200</b>
<b>Entitlements and Mandatories:</b>			
Budget resolution estimates of appropriated entitlements and other mandatory programs ..	1,017,381	995,610	0
<b>Total Current Level</b> <sup>a</sup> .....	<b>2,238,207</b>	<b>2,626,960</b>	<b>2,682,176</b>
<b>Total Senate Resolution</b> ..	<b>3,212,350</b>	<b>3,219,191</b>	<b>2,681,976</b>
Current Level Over Senate Resolution .....	n.a.	n.a.	200

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2017, AS OF SEPTEMBER 6, 2016—Continued

[In millions of dollars]

	Budget Authority	Outlays	Revenues
Current Level Under Senate Resolution .....	974,143	592,231	n.a.
<b>Memorandum:</b>			
<b>Revenues, 2017-2026:</b>			
Senate Current Level .....	n.a.	n.a.	32,351,296
Senate Resolution .....	n.a.	n.a.	32,350,752
Current Level Over Senate Resolution .....	n.a.	n.a.	544
Current Level Under Senate Resolution .....	n.a.	n.a.	n.a.

Source: Congressional Budget Office.

Notes: n.a. = not applicable; P.L. = Public Law.

<sup>a</sup> For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the budget resolution does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

TABLE 3.—SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD FOR THE 114TH CONGRESS, AS OF SEPTEMBER 6, 2016

[In millions of dollars]

	2016-2021	2016-2026
Beginning Balance <sup>a</sup> .....	0	0
Enacted Legislation: <sup>b,c,d</sup>		
Breast Cancer Awareness Commemorative Coin Act (P.L. 114-148) <sup>c</sup> .....	0	0
Protect and Preserve International Cultural Property Act (P.L. 114-151) .....	*	*
Defend Trade Secrets Act of 2016 (P.L. 114-153) .....	*	*

TABLE 3.—SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD FOR THE 114TH CONGRESS, AS OF SEPTEMBER 6, 2016—Continued

[In millions of dollars]

	2016-2021	2016-2026
Transnational Drug Trafficking Act of 2015 (P.L. 114-154) .....	*	*
A bill to direct the Administrator of General Services, on behalf of the Architect of the United States, to convey certain Federal property located in the State of Alaska to the Municipality of Anchorage, Alaska (P.L. 114-161) .....	*	*
To take certain Federal lands located in Lassen County, California, into trust for the benefit of the Susanville Indian Rancheria, and for other purposes (P.L. 114-181) .....	*	*
Frank R. Lautenberg Chemical Safety for the 21st Century Act (P.L. 114-182) ..	-5	1
FOIA Improvement Act of 2016 (P.L. 114-185) .....	*	*
Fraud Reduction and Data Analytics Act of 2015 (P.L. 114-186) .....	*	*
Puerto Rico Oversight, Management, and Economic Stability Act (P.L. 114-187) <sup>f</sup> .....	0	0
FAA Extension, Safety, and Security Act of 2016 (P.L. 114-190) .....	-33	-8
Venezuela Defense of Human Rights and Civil Society Extension Act of 2016 (P.L. 114-194) .....	*	*
United States Semiquincentennial Commission Act of 2016 (P.L. 114-196) ..	*	*
Comprehensive Addiction and Recovery Act of 2016 (P.L. 114-198) .....	199	-54
Making Electronic Government Accountable by Yielding Tangible Efficiencies Act of 2016 (P.L. 114-210) .....	*	*
John F. Kennedy Centennial Commission Act (P.L. 114-215) .....	*	*
A bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes (P.L. 114-216) .....	*	*
<b>Current Balance</b> .....	<b>81</b>	<b>-61</b>

TABLE 3.—SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD FOR THE 114TH CONGRESS, AS OF SEPTEMBER 6, 2016—Continued

	2016–2021	2016–2026
Memorandum:		
Changes to Revenues .....	410	544
Changes to Outlays .....	491	483

Source: Congressional Budget Office.

Notes: n.e. = not able to estimate; P.L. = Public Law; FOIA = Freedom of Information Act; FAA = Federal Aviation Administration; \* = between —\$500,000 and \$500,000.  
<sup>a</sup>Pursuant to the statement printed in the Congressional Record on April 18, 2016, the Senate Pay-As-You-Go Scorecard was reset to zero.  
<sup>b</sup>The amounts shown represent the estimated impact of the public laws on the deficit. Negative numbers indicate an increase in the deficit; positive numbers indicate a decrease in the deficit.  
<sup>c</sup>Excludes off-budget amounts.  
<sup>d</sup>Excludes amounts designated as emergency requirements.  
<sup>e</sup>CBO estimates that P.L. 114–148 will cause a decrease in spending of \$7 million in 2018 and an increase in spending of \$7 million in 2020, resulting in a net effect on the deficit of zero over the six-year and eleven-year periods.

<sup>f</sup>EO estimates that P.L. 114–187 will cause an increase in spending over the six-year and eleven-year periods but would also increase revenues by the same amount over the same periods resulting in a net effect on the deficit of zero over the six-year and eleven-year periods.

ENFORCEMENT REPORT OF LEGISLATION POST-BIPARTISAN BUDGET ACT OF 2015 ENFORCEMENT FILING

Vote	Date	Measure	Violation	Motion to Waive <sup>e</sup>	Result
53	April 19, 2016	S. Amdt. 3787 (Sen. Paul, R-KY) to S. Amdt. 2953 to S. 2012 (Energy Policy Modernization Act of 2015).	311(a)(2)(B)—Revenues reduced below levels assumed in the budget resolution <sup>a</sup> .	Sen. Paul (R-KY)	33–64, Not Waived
76	May 19, 2016	S. Amdt. 3900 (Sen. Blunt, R-MO) to S. Amdt. 3896 to H.R. 2577 (Transportation, Housing and Urban Development Appropriations Act of 2017).	314(e)—Inclusion of emergency designations pursuant to Sec. 251 of BBEDCA <sup>b</sup> .	Sen. Collins (R-ME)	70–28, Waived
79	May 19, 2016	S. Amdt. 4039 (Sen. McCain, R-AZ) to S. Amdt. 3896 to H.R. 2577 (Transportation, Housing and Urban Development Appropriations Act of 2017).	314(e)—Inclusion of emergency designations pursuant to Sec. 251 of BBEDCA <sup>c</sup> .	Sen. McCain (R-AZ)	84–14, Waived
115	June 29, 2016	House Amendment to S. 2328, the vehicle for the Puerto Rico Oversight, Management, and Economic Stability Act (PROMESA).	425(a)(2)—Unfunded intergovernmental mandate in excess of limit <sup>d</sup> .	Sen. Hatch (R-UT)	85–13, Waived

<sup>a</sup>At the time of consideration, a point estimate was unavailable for the Paul amendment. However, it was estimated that it would decrease revenues below the levels assumed in the budget resolution.  
<sup>b</sup>This amendment designated \$1.1 billion in outlays as being for emergency purposes. This funding, which was not offset, would be used to combat the Zika virus.  
<sup>c</sup>This amendment designated \$7.7 billion in outlays as being for emergency purposes. This funding, which was not offset, would be used to extend the Veterans Choice Program.  
<sup>d</sup>In its estimate for PROMESA, the Congressional Budget Office found that the bill would impose a number of mandates on the territorial government of Puerto Rico and its instrumentalities. The costs of these mandates on public entities would exceed the annual threshold in UMRA for intergovernmental mandates (\$77 million in 2016, adjusted annually for inflation).  
<sup>e</sup>Unless otherwise noted, the motion to waive was offered pursuant to section 904 of the Congressional Budget Act of 1974.

LAUNCH OF THE OSIRIS-REX SPACE CRAFT

Mr. MCCAIN. Mr. President, I am proud to come to the Senate floor to call attention and to honor the OSIRIS-REx spacecraft, which is scheduled to launch from Cape Canaveral, FL, tonight at 7 p.m.

In the finest traditions of space exploration, this spacecraft will journey on a 7-year roundtrip mission to an asteroid that NASA has classified as “potentially hazardous” to Earth—to complete a survey and return to Earth with the largest sample of extraterrestrial material since the Apollo lunar missions.

This program will yield insights into asteroid composition and how asteroids move in space. The truth is that, despite the potential for large asteroids to impact the Earth in catastrophic ways, we still know relatively little about them. The OSIRIS-REx mission will shed light onto both their physical and chemical properties, which is information that will be critical for predicting their movements and designing strategies to prevent catastrophic asteroid impacts to the Earth, as well as aid in the commercial exploitation of near-earth objects.

The most unique aspect of the OSIRIS-REx mission is the large and pristine sample of the asteroid that will be brought back to Earth, which will allow scientists to examine the composition of an asteroid using instruments and techniques that are far more advanced than what could be done in space. Scientists from the University of Arizona, UA, will also examine the sample for the resources that could be mined from asteroids in the future, such as precious metals. Interestingly, medium- to large-sized space rocks might contain hundreds of millions, if not billions, of dollars in minerals and precious metals.

Perhaps the most important aspect of this mission is the research into the

origins of our universe and galaxy it will provide. The samples that the mission will bring back will help begin to answer some of the most profound and fundamental questions that have intrigued mankind since the beginning.

The OSIRIS-REx mission is funded by NASA and led by UA from my own great State of Arizona. I would like to congratulate UA president Ann Weaver Hart and former president Robert Shelton for championing space exploration; Dr. Dante Lauretta of the UA Lunar and Planetary Laboratory for his leadership as principal investigator; and his team, for bringing this exciting mission to the launch stage. I understand that under the leadership of the late Dr. Michael Drake and Dr. Lauretta, UA has been working on this concept for the last 15 years.

I would also like to acknowledge the other project partners, which include NASA’s Goddard Space Center; Lockheed Martin, which built the spacecraft bus on which the various science instruments are mounted; Arizona State University, which built an instrument on the spacecraft that will investigate mineral abundances and provide temperature information; KinetX Aerospace; Massachusetts Institute of Technology; and United Launch Alliance

I also appreciate our international collaborators, including, the Canadian Space Agency and the Centre national d’études spatiales, CNES, i.e., the French Government space agency.

This mission is the latest of a long list of achievements by UA and its globally recognized space scientists. In fact, UA scientists have collaborated in every single American mission to the Moon and contributed to every mission to Mars since 1964, including serving as the lead on the Phoenix Mars Mission.

With this mission, UA is expanding the boundaries of space science, including innovating in the global challenge of planetary orbital object tracking through their Space Object Behavioral

Sciences, SOBS, Initiative. Furthermore, I applaud UA, NASA, and Lockheed Martin for helping maintain U.S. leadership in near-Earth space, particularly at a time when the international community is showing a high interest in moving into this arena.

I wish the OSIRIS-REx team the best of luck for a successful launch. As the OSIRIS-REx countdown clock that has been hanging in my office for the last year gets very close to zero, I look forward to tuning in to NASA TV to watch history being made.

Thank you.

HONORING CHARLES WATERBURY

Ms. AYOTTE. Mr. President, today I wish to recognize the exceptional service and the extraordinary life of New Hampshire firefighter Charles “Charlie” Waterbury of Orford, NH.

Born and raised in Orford, Charlie graduated from Orford High School in 1978. Following graduation, Charlie enlisted in the U.S. Army and served for 4 years. After returning home, Charlie continued to serve his country and joined the New Hampshire Army National Guard. After 20 years of dedicated service to our State and our Nation, Charlie rose to the rank of E–5 sergeant.

Demonstrating his commitment to service, Charlie was a devoted member of the Orford community and known for his willingness to step up whenever help was needed. Prior to becoming a firefighter, Charlie served his hometown as a member of the town budget advisory committee, as a town tree warden, and, impressively, as a road agent for 17 years.

Ten years ago, Charlie joined the all-volunteer Orford Fire Department, where he soon became a beloved member of the team. Orford fire chief Terry Straight described Charlie as an excellent public servant whom “everyone respected and looked up to” and “a great

go-to guy.” On Sunday, July 24, as reports of a brush fire in Lyme came in, Charlie rushed to the scene, as he had done so many times before, placing the safety of others first. Sadly, Charlie gave his life in the line of duty to help extinguish the fire in Lyme. We are all grateful for Charlie’s selfless service to Orford and the rest of our State.

Firefighter Waterbury leaves behind a daughter, Whitney Banker; a grandson, Arlo Austin Banker, and parents; Allan and Shirley Waterbury. We are all deeply saddened by the loss of a wonderful friend to many and an outstanding public servant, Charlie Waterbury.

Charlie represented the best of our State, and I send my deepest condolences to Whitney, Arlo, Allan, and Shirley during this difficult time. While we mourn the loss of an extraordinary man, we know that he served our State, Nation, and community with honor, courage, and dedication. Charlie gave so much to New Hampshire and our Nation, and we are forever grateful for his sacrifice and service.

#### REMEMBERING HENRY RUEMLER

Mr. COCHRAN. Mr. President, I wish to recognize the life and service of my friend and former staff member Henry Ruempler, who passed away on August 29, 2016.

Mr. Henry Ruempler served as staff counsel to the House Committee on Government Operations before joining my staff in 1979 as counsel and later served as legislative director. Henry worked many years in my Washington, DC, office, and was a trusted colleague and friend to those who knew him. Following his departure from the U.S. Senate, he worked in the private sector, specializing in taxation and banking until his retirement in 2003.

Henry’s accomplishments and service extended beyond the workforce. He was a Boy Scout leader, for which he received the Silver Beaver Award for distinguished service; PTA board member; and treasurer of Northern Virginia Senior Softball. Above all, Henry was a dedicated family man. He was married for 45 years to his wife Susan. They have two children, Kyle and Shannon; and two grandchildren, Maryella and Charlie.

For myself and all those who knew Henry, I commemorate his years of service, his friendship, and a life well lived.

#### ENDOCRINE SOCIETY CENTENNIAL ANNIVERSARY

Mr. MARKEY. Mr. President, today I wish to recognize and congratulate the Endocrine Society in honor of its Centennial anniversary this year.

Founded in 1916, the Endocrine Society is the world’s oldest and largest professional society for endocrinologists and endocrine scientists, who focus their efforts on un-

derstanding and caring for the large interconnected system of glands in our bodies that produce hormones needed for the daily function of our bodies. These physicians and researchers are at the core of solving the most pressing health problems of our time—from diabetes and obesity, to infertility, bone health, and hormone-related cancers.

Throughout this year, the Endocrine Society is celebrating its 100th anniversary by focusing on endocrinology’s past contributions to science and public health, while keeping an eye on today’s promising research, which will lead to the discoveries of tomorrow. I am very pleased that this included holding its annual meeting and expo in Boston which drew thousands of endocrinologists from around the globe to Massachusetts. I am also pleased to note that this year the president of the Endocrine Society is Dr. Henry Kronenberg, chief of the endocrine unit at Massachusetts General Hospital, and Professor of Medicine at Harvard Medical School in Boston, MA.

Over the Endocrine Society’s past 100 years, there have been remarkable discoveries and advances in biomedical research, but there is still much to learn. Thankfully, advances in endocrine research are accelerating. Today, thanks in part to funding from the National Institutes of Health, we have many doctors and scientists working to create fascinating tools to improve human health.

As one example, the bionic pancreas, developed by Dr. Ed Damiano, a professor of biomedical engineering at Boston University, completely automates the process of tracking and adjusting blood sugar. This device does not cure diabetes, but it battles its greatest threat: the dramatic fluctuations in blood sugar that cause significant side effects and even death.

I am truly appreciative of the accomplishments of endocrinologists and endocrine researchers—many who work, study, and practice in Massachusetts—over the past 100 years, and I am excited about the future of this field and better understanding how our environment impacts the way in which our hormones function and contribute to disease.

I offer sincere congratulations to the Endocrine Society on their 100th anniversary, and I look forward to seeing future advancements in the field that lead to women and men living longer, healthier lives.

#### TRIBUTE TO MAJOR WILLIAM GORBY

Mr. MANCHIN. Mr. President, today I wish to acknowledge the service of my former defense fellow MAJ William Gorby, who is coming to the end of his assignment as part of his experience in the Army Congressional Fellowship Program.

Mike joined my office in 2014, and immediately, his dedication, work ethic, and intelligence made him a trusted

voice on my legislative team. A proud member of the West Virginia National Guard, Mike has deployed multiple times in defense of our country, and through his service, our Nation is a safer place. Most importantly, Mike is also a devoted husband and father, and I have had the pleasure of watching his family grow over the last several years.

As Mike moves on to another assignment outside the realm of legislation, I want to extend my thanks for his service and wish him and his family continued success in his future endeavors.

#### ADDITIONAL STATEMENTS

##### RECOGNIZING HOPE FOR NEW HAMPSHIRE RECOVERY

● Ms. AYOTTE. Mr. President, today I wish to recognize National Recovery Month and to applaud the accomplishments of a great organization in my home State: HOPE for New Hampshire Recovery. As New Hampshire battles a growing heroin and prescription opioid abuse crisis, the team at HOPE has brought a compassionate approach to caring for their fellow Granite Staters. Across our State, HOPE has opened six recovery centers in Manchester, Derry, Newport, Claremont, Concord, and Berlin. I was glad to join them at many of these grand opening ceremonies. These centers are important community resources, and I appreciate their work to reach every corner of our State. On Sunday, September 17, 2016, HOPE is hosting the Rally4Recovery NH, so that New Hampshire residents can show support for their families, friends, neighbors, and loved ones living in or seeking recovery.

National Recovery Month is sponsored by the Substance Abuse and Mental Health Services Administration as a means to bring greater awareness and understanding of mental and substance use disorders and to celebrate people in recovery.

Ensuring support exists for policies, programs, and initiatives that can lead to long-term recovery is a critically important piece of our comprehensive response to the heroin and prescription opioid abuse epidemic. This crisis touches all of us and as a significant public health crisis; our response must be comprehensive in nature, focusing on prevention, treatment, recovery, and support for first responders, in addition to working together to eliminate the stigma associated with addiction. National Recovery Month helps bring awareness to the efforts of groups like HOPE, who work in their communities to provide long-term resources for individuals seeking and in recovery.

We are fortunate for the dedicated work that HOPE does on a daily basis to support recovery in New Hampshire, and I am deeply grateful for their efforts to change the conversation around substance use disorders and show that long-term recovery is achievable. As we recognize National

Recovery Month this September, I applaud organizations like HOPE for New Hampshire Recovery that are making significant differences in their communities and helping to save and improve lives.●

#### 50TH ANNIVERSARY OF THE NEW HAMPSHIRE COLLEGE & UNIVERSITY COUNCIL

● Ms. AYOTTE. Mr. President, today I wish to help commemorate the 50th anniversary of the founding of the New Hampshire College & University Council, NHCUC. Throughout the past half century, the NHCUC has consistently endeavored to advance the interests of both public and private higher education in my home State of New Hampshire.

Established in 1966 as a statewide consortium of both public and private higher education institutions, the council is committed to enhancing the quality of higher education in New Hampshire, offering students attending its member institutions opportunities for enriched experiences, as well as providing a foundation for enhanced communication among the member institutions.

The NHCUC is directed by the chancellors and presidents of the member institutions who have supported the collaborative work of the organization for 50 years. The council serves its member institutions through programs in academic affairs, admissions, library services, career services, and many other programs and initiatives in service to the students, faculty, and staff at the member institutions.

In addition, the NHCUC offers an important voice in advocating awareness of and appreciation for the importance of the higher education sector as a partner in growing New Hampshire's economic prosperity, educating the next generation of skilled workers for the twenty-first century, and enhancing the civic life of our State and local communities.

I appreciate the work of this unique statewide higher education consortium that strives to encourage all of New Hampshire's citizens to promote and advance both public and private higher education in the Granite State. It is my honor to recognize and congratulate the New Hampshire College & University Council as they reach this historic milestone, and I wish them many more years of success.●

#### FIFTEENTH ANNIVERSARY OF THE NATIONAL ASSOCIATION OF FREE & CHARITABLE CLINICS

● Mrs. CAPITO. Mr. President, I wish to congratulate the National Association of Free & Charitable Clinics on their 15th anniversary and to recognize the outstanding work of our Nation's 1,200 free and charitable clinics in providing vital medical services to low-income, uninsured residents, including the eight clinics in my home State of West Virginia.

West Virginia's free and charitable clinics, with the assistance of their more than 1,000 dedicated volunteer professionals, provide health care for over 42,000 working poor of West Virginia. These clinics focus on the overall needs of patients by providing medical, dental, pharmaceutical, behavior health, vision, and health education services and ensure a medical home for vulnerable at-risk West Virginians.

Annually, America's 1,200 free and charitable clinics provide health care to 1.7 million people through 5.9 million patient visits. This is accomplished through a dedicated staff and over 160,000 volunteers, including 30,000 medical providers, 21,000 nurses, and almost 71,000 nonmedical volunteers.

Free and charitable clinics do not receive dedicated Federal funding. Instead, these clinics rely heavily on private donations from individual donors, foundations, grants, and volunteers, which allow them to keep their doors open and to deliver health care to those who need it the most.

I look forward to continuing to work with my colleagues in Congress to better address the needs of the medically underserved and to increase awareness and understanding of the important work that free and charitable clinics do every day.●

#### TRIBUTE TO LAURANCE M. MILLER

● Mr. CRUZ. Mr. President, I am pleased to share with my colleagues a remarkable achievement by a very distinguished American citizen, Laurance M. Miller. On October 29, 2016, Mr. Miller will have devoted over 50 years of his life to the service of his country as an officer and civil servant in the U.S. Air Force. His honorable career began when he was commissioned as a second lieutenant in the U.S. Air Force on June 6, 1966, from ROTC at the University of Akron.

Miller was stationed at Chanute Air Force Base in Illinois for training as an aircraft maintenance officer and assigned to the 526th TAC Fighter Squadron in 1967. In 1969, Miller received his orders to Vietnam, but the Pueblo Crisis diverted him to Kunsan Air Force Base in Korea, where he served as a maintenance officer for the next year and was promoted to captain.

In 1970, Miller was honorably discharged from Active Duty, but remained an Air Force Reservist with the 916th TAC Fighter Squadron in Youngstown, OH, until 1977.

On August 11, 1973, Miller made the best decision of his life when he married Patricia Kraus at St. Sebastian's Catholic Church in Akron, OH. They are the proud parents of Kevin, Melissa, and Matthew, and now grandparents of Ethan, Joy, Dylan, and Joshua.

Miller resumed Active Duty in 1977 and was assigned to Air Force Reserve Headquarters, AFRH, at Robins Air Force Base in Georgia. During his as-

signment at AFRH, he was promoted to major and honorably discharged from Active Duty in 1982.

He and his family then moved to New Orleans, LA, where he was assigned to 526th TAC Fighter Squadron and the New Orleans Naval Air Station as an air reserve technician. There he had the unique distinction of serving simultaneously as a civil servant for the Air Force, as well as an active Air Force Reservist.

Miller was assigned to Air Force Materiel Command, AFMC, individual mobilization augmentee at Hanscom Air Force Base in Massachusetts in 1984. During this time, he continued to serve as both a civil service employee and an active Reservist for the U.S. Air Force.

Mr. Laurance Miller devoted his life to the U.S. Air Force. His patriotic and unselfish commitment to his chosen branch of service and to the United States of America are extraordinary. I am honored to recognize him for a job well done, and I sincerely wish Larry and Pat happy trails as they enjoy a well-earned retirement together.●

#### TRIBUTE TO TOM RUMMEL

● Mr. DAINES. Mr. President, today I recognize Tom Rummel of Sanders County, who has served as sheriff since 2010. Thanks to his initiative and hard work, citizens affected by the Copper King Fire have been kept safe and up to speed on the latest fire activity.

Sheriff Rummel has coordinated local law enforcement and emergency services for weeks to ensure the safety of Montanans and their property as the Copper King Fire has grown to be the largest wildfire in the State.

As the fire increased in size to over 28,000 acres, Mr. Rummel implemented evacuation and pre-evacuation notices to numerous residences. In addition to phone calls, public notices around the county, and house visits, Sheriff Rummel has used Facebook to keep the community apprised of the very latest information about the fire. He has posted regular updates to the Sanders County Sheriff's Facebook page, using the power of social media to get the word out to his community.

While recent weather has tempered the spread of the Copper King Fire, Sanders County will not be completely out of the woods until we see a season-ending weather event. As Montanans continue to suffer the consequences of Federal mismanagement of our forests, it is often up to local leaders to protect our communities from wildfires.

I commend Sheriff Rummel for his tireless work to keep Montanans safe and keep his community informed. All Montanans, and indeed all Americans, owe our local law enforcement and emergency responders a debt of gratitude for their daily efforts on our behalf.●

#### REMEMBERING DOUGLAS MOORE

● Mr. SESSIONS. Mr. President, today I wish to pay tribute to Douglas Moore

from Montgomery, AL, who passed away on June 4, 2016. Doug was a good man who loved his family, his country, his many friends, and was always positive and productive, and he was a good friend, adviser, and helper to me. He made his own decisions and worked hard to achieve the values he believed in even when it was not easy to do so. That determination and courage was something I appreciated and admired, as did so many.

Doug and I knew each other for many years and grew up in rural Alabama not too far away from each other and at a similar time. We understood each other and shared a history of time and place. Doug was one of my favorite people. His positive spirit was contagious, as he was always thinking and always working to make America a better place. That is the definition of a patriot.

He was a man of many talents and a successful businessman. He owned a wide variety of businesses, from restaurants to a cosmetics line, courier service, and a car dealership. He worked particularly hard in Alabama to promote small and minority businesses. I was pleased to successfully urge his appointment by President Bush to the committee overseeing the U.S. Department of Agriculture responsibilities in Alabama. The Alabama Farm Service Agency handles programs including commodities, loans, disaster assistance, food assistance, and export credits. He had a farming background and was a valuable member of the committee, fully understanding the needs of small and minority farmers in the State.

Doug will always be remembered for his love of his family, church, and fellow man. He leaves behind his wife of 45 years, Shirley Ann Moore; his loving daughter, Carmen Moore-Zeigler; son-in-law, Henry Zeigler; a granddaughter who was the apple of his eye, Da Brianna Zeigler; and 11 brothers and sisters.●

#### REMEMBERING TYREE A. RICHBURG

● Mr. SESSIONS. Mr. President, I rise today to remember Tyree A. Richburg of Mobile, AL. Reverend, marshal, and chief, Richburg had a wonderful life that blessed so many. He was a great law enforcement officer, starting as a patrolman for the Mobile Police Department, where he worked for over 40 years earning the rank of lieutenant in 1978, and then as chief of police for Prichard, AL. Following that, he was appointed as U.S. marshal for the Southern District of Alabama, where he served with distinction from 1978 to 1981. Appointed by the President and confirmed by the Senate, U.S. marshals stand with the U.S. attorney as the representatives for the executive branch of the government in the judicial districts. Marshal Richburg was supported by his fine team of deputies and staff and, under his leadership, he

fulfilled his duties in an exceptional manner.

In 1988, after years of dedicated service in law enforcement, he accepted a calling to ministry and in 2001 began his tenure as pastor of the Tabernacle Missionary Baptist Church. Indeed, in many ways his concept of law enforcement was as a ministry. He was firm with lawbreakers, but he treated each one with dignity and the kindness the situation would allow.

Tyree Richburg was honest, courageous, determined, generous, and kind. He reflected the great qualities we should all strive for. During the time I was U.S. attorney, he was a good friend and we worked together in a relationship of confidence and trust.

His beloved wife of 63 years, Celestine Richburg, preceded him in death, but he leaves behind 4 children, 10 grandchildren, 5 great-grandchildren, and many loving clergy associates and friends.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States was communicated to the Senate by Mr. Williams, 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 nominations which were referred to the Committee on Armed Services.

(The message received today is printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE

At 11:47 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2845. An act to promote access to benefits under the African Growth and Opportunity Act, and for other purposes.

H.R. 4481. An act to amend the Foreign Assistance Act of 1961 to provide assistance for developing countries to promote quality basic education and to establish the goal of all children in school and learning as an objective of the United States foreign assistance policy, and for other purposes.

H.R. 5063. An act to limit donations made pursuant to settlement agreements to which the United States is a party, and for other purposes.

H.R. 5537. An act to promote internet access in developing countries and update foreign policy toward the internet, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 131. Concurrent resolution authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run.

The message also announced that the Speaker appoints Mr. KINZINGER of Illinois as a conferee to fill the vacancy caused by the resignation of Mr. Whitfield of Kentucky on the conference committee on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2012) to provide for the modernization of the energy policy of the United States, and for other purposes.

The message further announced that pursuant to section 4(a) of the John F. Kennedy Centennial Commission Act (Public Law 114-215), the Minority Leader appoints Mr. JOSEPH P. KENNEDY III of Massachusetts to the John F. Kennedy Centennial Commission.

#### MEASURES REFERRED

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

H.R. 2845. An act to promote access to benefits under the African Growth and Opportunity Act, and for other purposes; to the Committee on Foreign Relations.

H.R. 4481. An act to amend the Foreign Assistance Act of 1961 to provide assistance for developing countries to promote quality basic education and to establish the goal of all children in school and learning as an objective of the United States foreign assistance policy, and for other purposes; to the Committee on Foreign Relations.

H.R. 5063. An act to limit donations made pursuant to settlement agreements to which the United States is a party, and for other purposes; to the Committee on the Judiciary.

H.R. 5537. An act to promote internet access in developing countries and update foreign policy toward the internet, and for other purposes; to the Committee on Foreign Relations.

#### MEASURES PLACED ON THE CALENDAR

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

S. 3296. A bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for individuals residing in counties with fewer than 2 health insurance issuers offering plans on an Exchange.

S. 3297. A bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for certain individuals whose premium has increased by more than 10 percent, 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-6740. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Citrus tristeza virus expressing spinach defensin proteins 2, 7, and 8; Temporary Exemption from the Requirement of a Tolerance" (FRL No. 9947-19) received during adjournment of the Senate in the Office of the

President of the Senate on August 30, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6741. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Butanedioic acid, 2-methylene-, polymer with 1,3 butadiene, ethylbenzene and 2 hydroxyethyl-2-propenoate; Tolerance Exemption" (FRL No. 9950-63) received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6742. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Chlorantraniliprole; Pesticide Tolerances" (FRL No. 9950-04) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6743. A communication from the Board Chair and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's proposed fiscal year 2016 budget; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6744. A communication from the Acting Deputy Director of Program Development and Regulatory Analysis, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Rural Broadband Access Loans and Loan Guarantees" (RIN0572-AC34) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6745. 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 "Viruses, Serums, Toxins, and Analogous Products; Packaging and Labeling" ((RIN0579-AE19) (Docket No. APHIS-2008-0008)) received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6746. A communication from the Director, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act; to the Committee on Appropriations.

EC-6747. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act; to the Committee on Appropriations.

EC-6748. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Interpretive Rule Under the Military Lending Act Limitations on Terms of Consumer Credit Extended to Service Members and Dependents" (RIN0790-ZA11) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Armed Services.

EC-6749. 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 "Updated Statements of Legal Authority for the Export Administration Regulations to Include August 4, 2016 Continuation of Emergency Declared in Executive Order 13222" (RIN0694-AH09) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-6750. A communication from the Executive Vice President and Chief Financial Officer, Federal Home Loan Bank of Chicago, transmitting, pursuant to law, the Bank's 2015 management reports; to the Committee on Banking, Housing, and Urban Affairs.

EC-6751. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility; Sacramento County, CA, et al." ((44 CFR Part 64) (Docket No. FEMA-2016-0002)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-6752. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility; Athens-Clarke County, GA, et al." ((44 CFR Part 64) (Docket No. FEMA-2016-0002)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-6753. A communication from the Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Access to Data Obtained by Security-Based Swap Data Repositories" (RIN3235-AL74) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-6754. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the continuation of the national emergency with respect to the terrorist attacks on the United States of September 11, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-6755. A communication from the Secretary of the Interior, transmitting proposed legislation to approve the location of the National Desert Storm War Memorial; to the Committee on Energy and Natural Resources.

EC-6756. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Test Procedure for Compact Fluorescent Lamps" ((RIN1904-AC74) (Docket No. EERE-2015-BT-TP-0014)) received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2016; to the Committee on Energy and Natural Resources.

EC-6757. A communication from the Division Chief, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "BLM Internet-Based Auctions" (RIN1004-AE46) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Energy and Natural Resources.

EC-6758. A communication from the Secretary of Commerce, transmitting, pursuant to law, the annual report on the activities of the U.S. Economic Development Administration (EDA) for fiscal year 2015; to the Committee on Environment and Public Works.

EC-6759. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the West Sacramento project in Yolo County, California; to the Committee on Environment and Public Works.

EC-6760. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Craig Harbor, Alaska, Navigation Improvement Project; to the Committee on Environment and Public Works.

EC-6761. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the American River Common Features project in Sacramento and Yolo Counties, California; to the Committee on Environment and Public Works.

EC-6762. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Priorities List" (FRL No. 9952-06-OLEM) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Environment and Public Works.

EC-6763. 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; Connecticut; NOx Emission Trading Orders as Single Source SIP Revisions" (FRL No. 9957-94-Region 1) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Environment and Public Works.

EC-6764. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Ocean Dumping; Modification of an Ocean Dredged Material Disposal Site Offshore of Charleston, South Carolina" (FRL No. 9951-96-Region 4) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Environment and Public Works.

EC-6765. 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; Indiana; Resignation of the Indiana Portion of the Louisville Area to Attainment of the 1997 Annual Standard for Fine Particulate Matter" (FRL No. 9951-95-Region 5) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Environment and Public Works.

EC-6766. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Outer Continental Shelf Air Regulations Consistency Update for Maryland" (FRL No. 9950-98-Region 3) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Environment and Public Works.

EC-6767. 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 Implementation Plans; State of Kansas; Infrastructure SIP Requirements for the 2012 Annual Fine Particulate Matter (PM2.5) National Ambient Air Quality Standards (NAAQS)" (FRL No. 9951-87-Region 7) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Environment and Public Works.

EC-6768. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Quality Designations for the 2012 Primary Annual Fine Particle Matter (PM2.5) National Ambient Air Quality Standard (NAAQS) for Areas in Georgia and Florida" (FRL No. 9951-91-OAR) received in

the Office of the President of the Senate on September 6, 2016; to the Committee on Environment and Public Works.

EC-6769. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "State of Iowa; Approval and Promulgation of the Title V Operating Permits Program, the State Implementation Plan, and 112(l) Plan" (FRL No. 9951-86-Region 7) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Environment and Public Works.

EC-6770. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers" ((RIN2060-AS10) (FRL No. 9951-64-OAR)) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Environment and Public Works.

EC-6771. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Air Quality Implementation Plans; Puerto Rico; Infrastructure Requirements for the 1997 and 2008 Ozone, 1997 and 2006 Fine Particulate Matter and 2008 Lead NAAQS" (FRL No. 9945-84-Region 2) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Environment and Public Works.

EC-6772. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles - Phase 2" ((RIN2060-AS16 and RIN2127-AL52) (FRL No. 9950-25-OAR)) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Environment and Public Works.

EC-6773. A communication from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Extension of Expiration Dates for Four Body Systems Listings" (RIN0960-AI03) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2016; to the Committee on Finance.

EC-6774. A communication from the Senior Advisor, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2016-1114); to the Committee on Foreign Relations.

EC-6775. A communication from the Senior Advisor, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS-2016-1115); to the Committee on Foreign Relations.

EC-6776. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 16-014); to the Committee on Foreign Relations.

EC-6777. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report consistent with the Authorization for Use of Military Force Against Iraq Resolution of 2002 (P.L. 107-243) and the Authorization for the Use of Force Against Iraq

Resolution (P.L. 102-1) for the April 11, 2016-June 9, 2016 reporting period; to the Committee on Foreign Relations.

EC-6778. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 16-045); to the Committee on Foreign Relations.

EC-6779. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(d) of the Arms Export Control Act (DDTC 16-027); to the Committee on Foreign Relations.

EC-6780. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 16-030); to the Committee on Foreign Relations.

EC-6781. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 16-047); to the Committee on Foreign Relations.

EC-6782. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) and 36(d) of the Arms Export Control Act (DDTC 16-041); to the Committee on Foreign Relations.

EC-6783. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) and 36(d) of the Arms Export Control Act (DDTC 16-050); to the Committee on Foreign Relations.

EC-6784. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report prepared by the Department of State on progress toward a negotiated solution of the Cyprus question covering the period April 1, 2016 through May 31, 2016; to the Committee on Foreign Relations.

EC-6785. A communication from the Deputy Director, Office of Presidential Appointments, Department of State, transmitting, pursuant to law, a report of a vacancy in the position of Assistant Secretary of State (Western Hemisphere Affairs), received during adjournment of the Senate in the Office of the President of the Senate on August 26, 2016; to the Committee on Foreign Relations.

EC-6786. A communication from the Deputy Director, Office of Presidential Appointments, Department of State, transmitting, pursuant to law, a report of a vacancy in the position of Ambassador at Large for War Crimes Issues, received during adjournment of the Senate in the Office of the President of the Senate on August 26, 2016; to the Committee on Foreign Relations.

EC-6787. A communication from the Deputy Director, Office of Presidential Appointments, Department of State, transmitting, pursuant to law, a report of a vacancy in the position of Assistant Secretary of State (Political-Military Affairs), received during adjournment of the Senate in the Office of the President of the Senate on August 26, 2016; to the Committee on Foreign Relations.

EC-6788. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(d) of the Arms Export Control Act (DDTC 16-056); to the Committee on Foreign Relations.

EC-6789. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Food Labeling; Technical

Amendments" (Docket No. FDA-2016-N-0011) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-6790. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Requirements for Foreign and Domestic Establishment Registration and Listing for Human Drugs, Including Drugs That Are Regulated Under a Biologics License Application, and Animal Drugs" ((RIN0910-AA49) (Docket No. FDA-2005-N-0464)) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-6791. A communication from the Railroad Retirement Board, transmitting, pursuant to law, the Board's 2016 Annual Report; to the Committee on Health, Education, Labor, and Pensions.

EC-6792. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "National Plan to Address Alzheimer's Disease: 2016 Update"; to the Committee on Health, Education, Labor, and Pensions.

EC-6793. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Health, United States, 2015"; to the Committee on Health, Education, Labor, and Pensions.

EC-6794. A communication from the Assistant General Counsel, Office of General Counsel, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Programs and Activities Authorized by the Adult Education and Family Literacy Act (Title II of the Workforce Innovation and Opportunity Act)" (RIN1830-AA22) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-6795. A communication from the Assistant General Counsel, Office of General Counsel, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Workforce Innovation and Opportunity Act, Miscellaneous Program Changes" (RIN1820-AB71) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-6796. A communication from the Assistant General Counsel, Office of General Counsel, Department of Education, transmitting, pursuant to law, the report of a rule entitled "State Vocational Rehabilitation Services Program; State Supported Employment Services Program; Limitations on Use of Subminimum Wage" (RIN1820-AB70) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-6797. A communication from the Regulations Coordinator, Administration for Children and Families, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Head Start Performance Standards" (RIN0970-AC63) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-6798. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled "Workforce Innovation and Opportunity Act, Miscellaneous Program Changes" ((RIN1820-

AB71) (Docket ID ED-2015-OSERS-0002)) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC-6799. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled “Programs and Activities Authorized by the Adult Education and Family Literacy Act (Title II of the Workforce Innovation and Opportunity Act)” ((RIN1830-AA22) (Docket ID ED-2015-OCTAE-0003)) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC-6800. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled “State Vocational Rehabilitation Services program; State Supported Employment Services program; Limitations on Use of Subminimum Wage” ((RIN1820-AB70) (Docket ID ED-2015-OSERS-0001)) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC-6801. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled “Savings Arrangements Established by States for Non-Governmental Employees” (RIN1210-AB71) received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-6802. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “The Food and Drug Administration Food Safety Modernization Act; Extension and Clarification of Compliance Dates for Certain Provisions of Four Implementing Rules” ((RIN0910-AG10; RIN0910-AG35; RIN0910-AG36; and RIN0910-AG64) (Docket Nos. FDA-2011-N-0920; FDA-2011-N-0921; FDA-2011-N-0922; and FDA-2011-N-0143)) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-6803. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “New Animal Drugs for Use in Animal Feed; Category Definitions” (Docket No. FDA-2016-N-1896) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-6804. A communication from the Deputy Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled “Final priority and requirement—Equity Assistance Centers” ((CFDA No. 84.004D.) (Docket No. ED-2016-OESE-0015)) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-6805. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-449, “Medical Marijuana Cultivation Center Relocation Temporary Amendment Act of 2016”; to the Committee on Homeland Security and Governmental Affairs.

EC-6806. A communication from the District of Columbia Auditor, transmitting, pur-

suant to law, a report entitled, “District Agencies Did Not Provide Sufficient Oversight of Private Development Projects and Have Not Collected Potentially Significant Fines”; to the Committee on Homeland Security and Governmental Affairs.

EC-6807. A communication from the Office Program Manager, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled “Loan Guarantee: Delegation of Authority” (RIN2900-AP77) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2016; to the Committee on Veterans’ Affairs.

EC-6808. A communication from the Acting Director, Planning and Policy Analysis, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled “Federal Employees Health Benefits Program and Federal Employees Dental and Vision Insurance Program: Excepted Service and Pathways Programs Miscellaneous Clarifications and Corrections” (RIN3206-AM97) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-6809. A communication from the Acting Director, Pay and Leave, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled “Prevailing Rate Systems; Redefinition of the Asheville, NC, and Charlotte, NC, Appropriated Fund Federal Wage System Wage Areas” (RIN3206-AN37) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-6810. A communication from the Acting Director, Pay and Leave, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled “Prevailing Rate Systems; Abolishment of the Newburgh, NY, Appropriated Fund Federal Wage System Wage Area” (RIN3206-AN26) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-6811. A communication from the Acting Director, Planning and Policy Analysis, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled “Federal Employees’ Group Life Insurance Program: Court Orders Prior to July 22, 1998” (RIN3206-AM67) received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-6812. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-469, “Grocery Store Restrictive Covenant Prohibition Temporary Act of 2016”; to the Committee on Homeland Security and Governmental Affairs.

EC-6813. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-471, “Washington Metropolitan Area Transit Authority Compact Temporary Amendment Act of 2016”; to the Committee on Homeland Security and Governmental Affairs.

EC-6814. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21-470, “Gas Station Advisory Board Temporary Amendment Act of 2016”; to the Committee on Homeland Security and Governmental Affairs.

EC-6815. A communication from the Chief, Administrative Law Division, Central Intel-

ligence Agency, transmitting, pursuant to law, a report relative to a vacancy in the position of Inspector General, Central Intelligence Agency, received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2016; to the Select Committee on Intelligence.

EC-6816. A communication from the Chair of the Committee on Rules of Practice and Procedure, Judicial Conference of the United States, transmitting, pursuant to law, a report on a pending amendment to Federal Rule of Civil Procedure.; to the Committee on the Judiciary.

EC-6817. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, an annual report relative to the activities and operations of the Public Integrity Section, Criminal Division, and the nationwide federal law enforcement effort against public corruption; to the Committee on the Judiciary.

EC-6818. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus Airplanes” ((RIN2120-AA64) (Docket No. FAA-2016-5462)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6819. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus Airplanes” ((RIN2120-AA64) (Docket No. FAA-2015-3989)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6820. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus Airplanes” ((RIN2120-AA64) (Docket No. FAA-2016-0466)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6821. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus Airplanes” ((RIN2120-AA64) (Docket No. FAA-2016-5460)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6822. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; Airbus Airplanes” ((RIN2120-AA64) (Docket No. FAA-2015-8468)) received in the Office of the President of the Senate on September 6, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6823. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; The Boeing Company Airplanes” ((RIN2120-AA64) (Docket No. FAA-2015-8429)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6824. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-8841)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6825. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Dassault Aviation Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-5464)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6826. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Dassault Aviation Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-5594)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6827. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Fokker Services B.V. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2015-8472)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6828. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pacific Aerospace Limited Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-8838)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6829. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-5459)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6830. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Continental Motors, Inc. Reciprocating Engines" ((RIN2120-AA64) (Docket No. FAA-2012-0002)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6831. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthi-

ness Directives; BAE Systems (Operations) Limited Airplanes" ((RIN2120-AA64) (Docket No. FAA-2016-5465)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6832. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (62); Amdt. No. 3703" ((RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6833. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (69); Amdt. No. 3704" ((RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6834. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (56); Amdt. No. 3706" ((RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6835. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures, and Take-off Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (73); Amdt. No. 3705" ((RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6836. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Linton, ND" ((RIN2120-AA66) (Docket No. FAA-2016-5456)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6837. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Platte, SD" ((RIN2120-AA66) (Docket No. FAA-2016-5386)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6838. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Harvey, ND" ((RIN2120-AA66) (Docket No. FAA-2016-5487))

received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6839. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Park River, ND" ((RIN2120-AA66) (Docket No. FAA-2016-5856)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6840. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace for the following Michigan towns; Alma, MI; Bellaire, MI; Cadillac, MI; Drummond Island, MI; Gladwin, MI; Holland, MI; and Three Rivers, MI" ((RIN2120-AA66) (Docket No. FAA-2016-4629)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6841. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace for the following Minnesota Towns; Hutchinson, MN; Jackson, MN; Pipestone, MN; Two Harbors, MN; and Waseca, MN" ((RIN2120-AA66) (Docket No. FAA-2016-4271)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6842. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class C Airspace; Syracuse Hancock International Airport, NY" ((RIN2120-AA66) (Docket No. FAA-2016-3937)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6843. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class C Airspace; Boise, ID" ((RIN2120-AA66) (Docket No. FAA-2016-7467)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6844. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class C Airspace; Peoria, IL" ((RIN2120-AA66) (Docket No. FAA-2016-7416)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6845. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Class E Airspace; Lake Providence, LA" ((RIN2120-AA66) (Docket No. FAA-2016-4236)) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6846. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Class D Airspace; North, SC" (RIN2120-AA66) (Docket No. FAA-2016-1074) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6847. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Small-Mesh Multispecies Fishery; Adjustment to the Northern Red Hake Inseason Possession Limit" (RIN0648-XE787) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6848. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Dusky Rockfish in the Western Regulatory Area of the Gulf of Alaska" (RIN0648-XE708) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6849. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock in the Bering Sea and Aleutian Islands" (RIN0648-XE789) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6850. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Harvested for the Commonwealth of Massachusetts" (RIN0648-XE810) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6851. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; Quota Transfer" (RIN0648-XE802) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6852. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Scup Fishery; Adjustment to the 2016 Winter II Quota" (RIN0648-XE755) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6853. A communication from the Chairman of the Office of Proceedings, Surface Transportation Board, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "On-Time Performance Under Section 213 of the Passenger Rail Investment and Improvement Act of 2008"

(RIN2140-AB22) received during adjournment of the Senate in the Office of the President of the Senate on August 29, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6854. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Establishment of the Champlain Valley of New York Viticultural Area" (RIN1513-AC19) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6855. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Expansion of the Sta. Rita Hills Viticultural Area" (RIN1513-AC10) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6856. A communication from the Assistant Chief Counsel for Hazmat Division, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Hazardous Materials: FAST Act Requirements for Flammable Liquids and Rail Tank Cars" (RIN2137-AF17) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6857. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations (Maryville, Missouri)" ((MB Docket No. 16-68) (DA 16-894)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6858. A communication from the Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991" ((FCC 16-99) (CG Docket No. 02-278)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6859. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "2014 Quadrennial Regulatory Review—Review of the Commission's Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996; 2010 Quadrennial Regulatory Review—Review of the Commission's Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996; Promoting Diversification of Ownership in the Broadcasting Services; Rules and Policies Concerning Attribution of Joint Sales Agreements in Local Television Markets" ((FCC 16-107) (MB Docket No. 14-50; MB Docket No. 09-182; MB Docket No. 07-294; and MB Docket No. 04-256)) received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2016; to the Committee on Commerce, Science, and Transportation.

EC-6860. A communication from the Chairman of the National Endowment for the

Arts, transmitting, pursuant to law, a notice relative to the Semiannual Report of the Inspector General and the Chairman's Semiannual Report on Final Action Resulting from Audit Reports, Inspection Reports, and Evaluation Reports for the period from October 1, 2015 through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-6861. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Western Regulatory Area of the Gulf of Alaska" (RIN0648-XE707) received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2016; to the Committee on Commerce, Science, and Transportation.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 815. A bill to provide for the conveyance of certain Federal land in the State of Oregon to the Cow Creek Band of Umpqua Tribe of Indians (Rept. No. 114-345).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment and an amendment to the title:

S. 1007. A bill to amend the Dayton Aviation Heritage Preservation Act of 1992 to rename a site of the Dayton Aviation Heritage National Historical Park (Rept. No. 114-346).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

S. 1448. A bill to designate the Frank Moore Wild Steelhead Sanctuary in the State of Oregon (Rept. No. 114-347).

S. 2309. A bill to amend title 54, United States Code, to establish within the National Park Service the U.S. Civil Rights Network, and for other purposes (Rept. No. 114-348).

## EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. GRASSLEY for the Committee on the Judiciary.

Kathleen Marie Sweet, of New York, to be United States District Judge for the Western District of New York.

Danny C. Reeves, of Kentucky, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2019.

Charles R. Breyer, of California, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2021.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

## 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 Ms. AYOTTE:

S. 3299. A bill to direct the Secretary of Homeland Security to notify air carriers and

security screening personnel of the Transportation Security Administration of the guidelines of the Administration regarding permitting baby formula, breast milk, and juice on aircraft, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. FLAKE (for himself and Mr. MCCAIN):

S. 3300. A bill to approve the settlement of water rights claims of the Hualapai Tribe and certain allottees in the State of Arizona, to authorize construction of a water project relating to those water rights claims, and for other purposes; to the Committee on Indian Affairs.

By Mr. RUBIO:

S. 3301. A bill to amend the Small Business Act to ensure small businesses affected by the onset of transmissible diseases are eligible for disaster relief; to the Committee on Small Business and Entrepreneurship.

By Mrs. BOXER:

S. 3302. A bill establishing the Centers for Disease Control and Prevention Emergency Response Fund for the Director of the Centers for Disease Control and Prevention to provide assistance for a public health emergency, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TOOMEY:

S. 3303. A bill to exempt firefighters and police officers from the government pension offset and windfall elimination provisions under the Social Security Act; to the Committee on Finance.

By Mr. THUNE:

S. 3304. A bill to direct the Secretary of Veterans Affairs to improve the Veterans Crisis Line; to the Committee on Veterans' Affairs.

By Mr. GRASSLEY:

S. 3305. A bill to amend title XVIII of the Social Security Act to require the use of electronic visit verification systems for home health services under the Medicare program; to the Committee on Finance.

By Mr. LANKFORD (for himself and Mr. MORAN):

S. 3306. A bill to amend title 18, United States Code, to prohibit dismemberment abortions, and for other purposes; to the Committee on the Judiciary.

By Mr. WARNER (for himself and Ms. COLLINS):

S. 3307. A bill to amend the Internal Revenue Code of 1986 and the Employee Retirement Income Security Act of 1974 to avoid duplicative annual reporting, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PAUL (for himself, Mr. MURPHY, Mr. LEE, and Mr. FRANKEN):

S.J. Res. 39. A joint resolution relating to the disapproval of the proposed foreign military sale to the Government of the Kingdom of Saudi Arabia of M1A1/A2 Abrams Tank structures and other major defense equipment; to the Committee on Foreign Relations.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. MARKEY (for himself, Ms. WARREN, Mr. CASEY, Mrs. GILLIBRAND, and Mr. BOOKER):

S. Res. 549. A resolution expressing a commitment by the Senate to never forget the service of aviation's first responders; considered and agreed to.

By Ms. MIKULSKI (for herself, Ms. COLLINS, Ms. STABENOW, Ms. BALD-

WIN, Mrs. BOXER, Mrs. GILLIBRAND, Mrs. MCCASKILL, Ms. WARREN, Mrs. MURRAY, Mrs. SHAHEEN, Ms. KLOBUCHAR, Mrs. ERNST, Ms. HIRONO, Mrs. FISCHER, Mr. PETERS, and Mr. CARDIN):

S. Res. 550. A resolution designating the week of September 5 through September 9, 2016, as "Recognizing the 40th Anniversary of Women at the United States Naval Academy Week"; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 17

At the request of Mr. VITTER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 17, a bill to repeal the provision of law that provides automatic pay adjustments for Members of Congress.

S. 275

At the request of Mr. ISAKSON, the names of the Senator from Georgia (Mr. PERDUE) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 275, a bill to amend title XVIII of the Social Security Act to provide for the coverage of home as a site of care for infusion therapy under the Medicare program.

S. 1476

At the request of Mrs. BOXER, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1476, a bill to require States to report to the Attorney General certain information regarding shooting incidents involving law enforcement officers, and for other purposes.

S. 1634

At the request of Ms. KLOBUCHAR, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1634, a bill to amend the Federal antitrust laws to provide expanded coverage and to eliminate exemptions from such laws that are contrary to the public interest with respect to railroads.

S. 2253

At the request of Mr. BLUMENTHAL, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 2253, a bill to amend title 38, United States Code, to provide veterans affected by closures of educational institutions certain relief and restoration of educational benefits, and for other purposes.

S. 2311

At the request of Mrs. GILLIBRAND, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2311, a bill to amend the Public Health Service Act to authorize the Secretary of Health and Human Services, acting through the Administrator of the Health Resources and Services Administration, to make grants to States for screening and treatment for maternal depression.

S. 2645

At the request of Ms. MURKOWSKI, her name was added as a cosponsor of S. 2645, a bill to impose sanctions with re-

spect to foreign persons responsible for gross violations of internationally recognized human rights against lesbian, gay, bisexual, and transgender individuals, and for other purposes.

At the request of Mrs. SHAHEEN, the names of the Senator from Vermont (Mr. SANDERS), the Senator from Vermont (Mr. LEAHY), the Senator from Maine (Ms. COLLINS), the Senator from New York (Mr. SCHUMER), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from California (Mrs. BOXER), the Senator from Ohio (Mr. BROWN), the Senator from New Mexico (Mr. HEINRICH) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 2645, supra.

S. 2702

At the request of Mr. CASEY, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2702, a bill to amend the Internal Revenue Code of 1986 to allow individuals with disabilities to save additional amounts in their ABLE accounts above the current annual maximum contribution if they work and earn income.

S. 2703

At the request of Mr. CASEY, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2703, a bill to amend the Internal Revenue Code of 1986 to allow rollovers between 529 programs and ABLE accounts.

S. 2704

At the request of Mr. CASEY, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2704, a bill to amend the Internal Revenue Code of 1986 to increase the age requirement with respect to eligibility for qualified ABLE programs.

S. 2720

At the request of Ms. BALDWIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2720, a bill to require the Securities and Exchange Commission to amend certain regulations, and for other purposes.

S. 2763

At the request of Mr. CORNYN, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 2763, a bill to provide the victims of Holocaust-era persecution and their heirs a fair opportunity to recover works of art confiscated or misappropriated by the Nazis.

S. 2890

At the request of Ms. AYOTTE, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2890, a bill to require the Secretary of the Treasury to mint coins in recognition of Christa McAuliffe.

S. 2927

At the request of Mr. LANKFORD, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 2927, a bill to prevent governmental discrimination against providers of health services who decline

involvement in abortion, and for other purposes.

S. 2932

At the request of Mr. CASSIDY, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 2932, a bill to amend the Controlled Substances Act with respect to the provision of emergency medical services.

S. 2934

At the request of Mr. SCHUMER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2934, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale.

S. 2993

At the request of Mrs. FISCHER, the name of the Senator from Nebraska (Mr. SASSE) was added as a cosponsor of S. 2993, a bill to direct the Administrator of the Environmental Protection Agency to change the spill prevention, control, and countermeasure rule with respect to certain farms.

S. 3039

At the request of Mr. KING, the name of the Senator from North Carolina (Mr. TILLIS) 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. 3065

At the request of Mr. WYDEN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 3065, a bill 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.

S. 3153

At the request of Mr. ROUNDS, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 3153, a bill to require the Federal financial institutions regulatory agencies to take risk profiles and business models of institutions into account when taking regulatory actions, and for other purposes.

S. 3155

At the request of Mr. HATCH, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 3155, a bill to amend chapter 97 of title 28, United States Code, to clarify the exception to foreign sovereign immunity set forth in section 1605(a)(3) of such title.

S. 3164

At the request of Mrs. SHAHEEN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 3164, a bill to provide protection for survivors of domestic violence or sexual assault under the Fair Housing Act.

S. 3179

At the request of Ms. HEITKAMP, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 3179, a bill to amend the Internal Revenue Code of 1986 to improve and extend the credit for carbon dioxide sequestration.

S. 3195

At the request of Mr. CASSIDY, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 3195, a bill to amend title XVIII of the Social Security Act to preserve Medicare beneficiary access to ventilators, and for other purposes.

S. 3230

At the request of Mr. KING, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 3230, a bill to amend the Older Americans Act of 1965 to establish an initiative, carried out by the Assistant Secretary for Aging, to coordinate Federal efforts and programs for home modifications enabling older individuals to live independently and safely in a home environment, and for other purposes.

S. 3251

At the request of Mr. COTTON, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 3251, a bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for certain individuals whose premium has increased by more than 10 percent, and for other purposes.

S. 3256

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 3256, a bill to amend the Foreign Assistance Act of 1961 to provide assistance for developing countries to promote quality basic education and to establish the goal of all children in school and learning as an objective of the United States foreign assistance policy, and for other purposes.

S. 3276

At the request of Mr. GRASSLEY, the names of the Senator from Alabama (Mr. SHELBY) and the Senator from Kentucky (Mr. MCCONNELL) were added as cosponsors of S. 3276, a bill to make habitual drunk drivers inadmissible and removable and to require the detention of any alien who is unlawfully present in the United States and has been charged with driving under the influence or driving while intoxicated.

S. 3281

At the request of Mr. REID, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 3281, a bill to extend the Iran Sanctions Act of 1996.

S. 3285

At the request of Mr. RUBIO, the name of the Senator from Nebraska (Mr. SASSE) was added as a cosponsor of S. 3285, a bill to prohibit the Presi-

dent from using funds appropriated under section 1304 of title 31, United States Code, to make payments to Iran, to impose sanctions with respect to Iranian persons that hold or detain United States citizens, and for other purposes.

S. 3296

At the request of Mr. MCCAIN, the names of the Senator from Georgia (Mr. ISAKSON), the Senator from Mississippi (Mr. WICKER), the Senator from Colorado (Mr. GARDNER), the Senator from North Carolina (Mr. TILLIS) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S. 3296, a bill to amend the Internal Revenue Code of 1986 to provide an exemption to the individual mandate to maintain health coverage for individuals residing in counties with fewer than 2 health insurance issuers offering plans on an Exchange.

S. CON. RES. 49

At the request of Mr. UDALL, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. Con. Res. 49, a concurrent resolution supporting efforts to stop the theft, illegal possession or sale, transfer, and export of tribal cultural items of Indians, Alaska Natives, and Native Hawaiians in the United States and internationally.

AMENDMENT NO. 4981

At the request of Mr. REID, his name was added as a cosponsor of amendment No. 4981 proposed to S. 2848, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

AMENDMENT NO. 4983

At the request of Mr. BLUMENTHAL, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of amendment No. 4983 intended to be proposed to S. 2848, a bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. RUBIO:

S. 3301. A bill to amend the Small Business Act to ensure small businesses affected by the onset of transmissible diseases are eligible for disaster relief; to the Committee on Small Business and Entrepreneurship.

Mr. RUBIO. Mr. President, I come to the floor again—I believe for the 10th time since March—to discuss the Zika virus.

The first time I talked about this was back in January. There was a report out that said Zika, the disease, was being transmitted by mosquitoes and

there was an outbreak in Brazil. Immediately for me alarm bells went off because being from Miami, FL, my hometown, if you go to the airport and look at the board, the number of flights coming from Brazil to South Florida, the numbers are high. There are dozens of flights a week back and forth. My immediate thought at that time was that this is going to be an issue for Florida and ultimately for America, given the amount of travel back and forth.

I also saw the outbreak in the territory of Puerto Rico, a place I have taken a tremendous interest in since my time here. As everyone knows, Puerto Rico is not officially represented in this Chamber, but I, along with my colleagues Senator MENENDEZ of New Jersey and Senator NELSON of Florida, have always looked out for the interests of the island and its people who are U.S. citizens. So knowing the link between Florida and Puerto Rico and the link between Zika and Puerto Rico, I knew as early as January that this was going to be an issue. I immediately talked to our Border Patrol folks and our Customs people at our airports and seaports about ensuring we are doing everything we can.

In March, when the President came out in February and March and talked about the need for \$1.9 billion to fight Zika, I believe I was the first Republican—certainly in this Chamber—to come out in favor of that request because my argument at the time was, we don't know fully what we are dealing with here, but let's get ahead of it. Let's jump in front of it and let's deal with it. Otherwise it will only get worse. Unfortunately, that didn't happen.

In much of April and March, there was not much attention paid to this. So cases started coming up domestically, mostly travel-related. The Senate did move, and I am proud of the fact that after some back and forth, this place worked. We worked across the aisle, and I worked with Senator NELSON on his proposal and other proposals. In fact, I believe I am the only Member of Congress who voted in favor of every single Zika proposal because in my mind I wanted the money to flow so local governments and States could deal with it and researchers could develop a vaccine. We passed a law for \$1.1 billion. It was a product of compromise. It was less than what the President asked for, but it began to move. Unfortunately, the House had a different idea and this is where we are today.

When we left in July, there had not been a reported case of a transmission of Zika by a mosquito, but as I warned through April, May, June, and July, it was only a matter of time. If you spent any amount of time in Florida, you know it is hot, it is humid, that it rains, and there are a lot of mosquitoes. You have a State which is a key entry point between key areas and the continental United States and you

have mosquitoes. It didn't take a scientist or an expert in Zika to know the combination of those two things were going to lead to locally based transmission. Sadly, that is what is happening.

There is a neighborhood in Miami, FL, called Wynwood. This was an area that is economically depressed and it has come alive. It is a center of art. They have these murals where graffiti artists were allowed to come in and put in these extraordinary murals. It is not graffiti. It is art. It is a place where the art community is centered and has come alive with some of the best restaurants in South Florida. This is the Wynwood community.

It is a magnet for tourists. There are people who fly to Florida, and South Florida in particular, and go straight to Wynwood because they want to be in that area. It was the first area impacted, and the CDC came out with a warning telling people to avoid a neighborhood. This is usually the kind of advisory that goes out about avoiding other countries, telling Americans and travelers, specifically, to avoid a certain part of a certain neighborhood.

Can you imagine the impact it had on the businesses in that community? We talked about the human toll of Zika, of the infection, and of what it does to unborn children, but there is also the economic impact of having a lead health care agency in charge of public health in America issue a warning to Americans to avoid a neighborhood in an American city. I promise you that was not good for those businesses. Some of these businesses had to close for weeks on end and days on end.

Then a few weeks later we had reports of the disease being transmitted on Miami Beach. I don't need to tell you about Miami Beach. Everyone knows about Miami Beach. It is the cornerstone of tourism in South Florida. People come to Miami Beach from all over the world to enjoy world-class beaches, nightlife, entertainment, and restaurants. I want you to put yourself in a position of a small business owner—not just a large hotel chain, which is relevant here, but a small business owner.

Imagine if you are a family who runs a restaurant on Collins Avenue in Miami Beach. You are depending your whole year, your budget and your payroll is built on a predictable pattern of travelers coming in the summer and coming in the fall and especially in the winter. You are estimating the number of travelers who will come in. They will leave money at these restaurants and they are going to go home. Now you have a report of these transmissions and similar warnings as well. What you learn from this is that this Zika issue is not just a health care issue—and that is by far the primary focus of what our attention should be—but it is also an economic issue and it is hurting small businesses. It is hurting the municipalities. Miami Beach as a city is going to see tax revenues go

down. It is going to hurt the State of Florida because of failed tax revenue and so forth. It is going to hurt one of the engines of our tourism sector—the reports of this transmission. You know what is hurting it even worse? When people turn on the news, people are hearing there are people being infected with Zika in Florida and Congress is still haggling and fighting over it and can't get anything done. That does not inspire confidence.

So today I have filed a bill, an additional bill, in addition to calling on us to move on Zika. Let me touch on this first. It is inexcusable. How did we get to this point? How did a public health crisis become a political tool to be played with back and forth? Yet that is what Washington has become, a place that has become expert at literally turning any issue into a political issue, and it has done so again with this issue. That is why people are grossed out and disgusted with American politics. When they watch the news and see this fighting, they don't get it. They understand there is this problem with Zika, and it is spreading and hurting people. We just had a case of a child born in Miami Dade County, at the Jackson Memorial Hospital—not with microcephaly but with Zika—a child, a baby, starting out life infected with Zika. They are asking: How can you guys turn this thing into a political issue? That is what Washington has done. Both parties are to blame. It took too long for some in my party to come to the realization this was important. On the Democratic side, they have come up with excuses to be against the proposal, but I will say this: The Senate did it. The Senate funded it. I think at this point, that is probably the fastest and best way forward, if we are serious about funding this, is to go back to what the Senate did. I continue to work with our colleagues to make sure that is a part of whatever vehicle we use to fund the government and keep it open through most of the rest of this year.

But today I filed a bill to help people being economically impacted by it. It is a bill that deals with the Small Business Administration. What it does is it basically gives the Small Business Administration the authority to give out small business loans to communities negatively impacted by health-related travel advisories issued by the Centers for Disease Control and Prevention. As you know, as I said earlier, the CDC has already issued those travel advisories to Wynwood and for the South Beach areas of Miami-Dade County, but that does not mean a week from now there will not be another area added to that, including another area in your State, my colleagues. You don't know when that is coming. So if they were hit by a storm, they would qualify for this. If they were hit by any other disaster, they would qualify for this. They have been hit by a storm. It happens to be a health care storm. It is hurting them economically. We need to

make sure they have the flexibility and the ability to provide this short-term, low-interest loans to small businesses to be able to weather this health care Zika storm.

I don't know for the life of me why anybody would be against this. I don't know what possible way you could try to politicize it. I am not sure why anybody would object to it. My hope is, we can move quickly on this. It is important.

I know there is a lot of jurisdictional pride around here and committees will say: Well, you have to come through us first because we are the chairmen and this is our committee. I hope you can make an exception on this issue because these businesses are hurting. They are hurting badly because of what has happened, and it is only going to get worse for them as these reports come out.

I hope we can get that passed. Here is another thing people don't know. Our service men and women are deployed all over the world. Unlike people who travel, they don't have a choice. When the U.S. military tells you and your dependents you must now go to Honduras, you are now going to be stationed at a base in Guantanamo Bay or you are going to be stateside, but you are going to be in Puerto Rico—when they deploy you, you can't say: Well, I am not going because there is Zika there. You have to go. We need to make sure we are protecting our men and women.

According to the Pentagon, as of today, there are 81 servicemembers and 19 dependents who have tested positive for the Zika virus. Three of them, by the way, are pregnant. So I have filed a second bill to protect our servicemembers from Zika. It is called the Servicemembers' Zika Protection Act. It provides U.S. troops with additional protections from the Zika virus by authorizing the Secretary of Defense to transfer funds within the existing Department of Defense medical and health research accounts in order to combat the Zika virus.

I am hopeful we can unite behind that as well. With over 100 members of our military and their families already infected with Zika, we need to take specific precautions to help them and to help our foreign partners who host Americans on military bases in regions that are affected by Zika. So I am also hopeful Congress will ultimately arrive at an agreement this month to fund our Nation's response to Zika, but also that we ensure that those being deployed on our behalf receive every protection we can provide.

So these, in addition to the broader argument about Zika, these are two commonsense approaches giving the Department of Defense flexibility to move existing money around, to provide additional protections for our service men and women and their dependents who are being deployed and impacted by Zika. This is not a theory. We have over 100 people now, including

81 in uniform, who have been impacted by it, and 19 of their dependents, 3 of them who are pregnant.

Second, the small business relief. Please put yourself in the position of a family-owned business on South Beach or in Wynwood. They are being hurt. Instead of having 50 people coming in a day, they have 5 or 10. They need help. If they had lost power or been hit by a hurricane or a tornado, this would not be an issue, but they have been hit by a tornado of a different kind, one they did not cause and they could not predict and they could not insure against; that is, Zika.

Let's make sure the SBA has the flexibility to provide them their loans. So in addition to funding this—we have to get the Zika thing done, it cannot continue to languish—we have to get the SBA flexibility built into our law so these small businesses can be provided the resources they need to stay open and not close down as a result of a travel advisory because of a disease being spread by mosquitoes.

I think we would all agree we have to make sure we are doing everything we can to protect our men and women in uniform who are not going by choice. They are being deployed to these places where Zika is prevalent. They are being infected. There is no excuse for us to not help them as well. So these are the three things I hope we will do before Congress adjourns at the end of this month: Fund Zika fully, give flexibility for our small businesses that have been impacted by Zika to get SBA loans, and do everything we can by passing a law that gives the Department of Defense the flexibility they need to use existing money to protect our men and women in uniform and their families from being infected by Zika when deployed.

By Mrs. BOXER:

S. 3302. A bill establishing the Centers for Disease Control and Prevention Emergency Response Fund for the Director of the Centers for Disease Control and Prevention to provide assistance for a public health emergency, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mrs. BOXER. Mr. President, today I have introduced legislation that will ensure that when there is a public health emergency or the threat of a public health emergency, the Centers for Disease Control and Prevention can respond immediately to prevent it from becoming a national or global crisis.

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 549—EX-PRESSING A COMMITMENT BY THE SENATE TO NEVER FORGET THE SERVICE OF AVIATION'S FIRST RESPONDERS

Mr. MARKEY (for himself, Ms. WARREN, Mr. CASEY, Mrs. GILLIBRAND, and

Mr. BOOKER) submitted the following resolution; which was considered and agreed to:

S. RES. 549

Whereas the events of September 11, 2001, forever changed the United States as the people of the United States faced unspeakable destruction and grief that touched millions of lives;

Whereas 4 commercial aircraft were turned into weapons of mass destruction, killing nearly 3,000 innocent people at the World Trade Center, the Pentagon, and in Shanksville, Pennsylvania;

Whereas the crewmembers of United Flight 175, American Flight 11, American Flight 77, and United Flight 93 acted as first responders, providing the first information about the unfolding attacks and selflessly protecting the United States and the lives of countless others;

Whereas ever since 9/11, pilots and flight attendants in the United States report to work with heightened responsibilities as first responders and as the last line of defense in aviation security; and

Whereas the bravery of the crewmembers 15 years ago and our crewmember heroes are prominent in the hearts and minds of the people of the United States; Now, therefore, be it

*Resolved*, That the Senate—

(1) forever memorializes the service of aviation's first responders on that fateful day; and

(2) will always seek to honor the sacrifice of aviation's first responders, who continue to keep the United States safe today.

SENATE RESOLUTION 550—DESIGNATING THE WEEK OF SEPTEMBER 5 THROUGH SEPTEMBER 9, 2016, AS "RECOGNIZING THE 40TH ANNIVERSARY OF WOMEN AT THE UNITED STATES NAVAL ACADEMY WEEK"

Ms. MIKULSKI (for herself, Ms. COLLINS, Ms. STABENOW, Ms. BALDWIN, Mrs. BOXER, Mrs. GILLIBRAND, Mrs. McCASKILL, Ms. WARREN, Mrs. MURRAY, Mrs. SHAHEEN, Ms. KLOBUCHAR, Mrs. ERNST, Ms. HIRONO, Mrs. FISCHER, Mr. PETERS, and Mr. CARDIN) submitted the following resolution; which was considered and agreed to:

S. RES. 550

Whereas, in 1975, Congress authorized women to attend military service academies;

Whereas, on July 6, 1976, 81 women midshipmen were inducted into the United States Naval Academy;

Whereas, in 1976, an African-American woman became the first African-American woman to attend the United States Naval Academy, and graduated in 1980;

Whereas, in 1980, 55 women became the first women to graduate from the United States Naval Academy, 47 percent of whom later became career officers;

Whereas, in 1980, a woman became the first woman to be a distinguished graduate and Trident Scholar of the United States Naval Academy;

Whereas, on May 24, 1984, a woman became the first woman to graduate first in class from the United States Naval Academy;

Whereas, in 1988, an African-American woman became the first African-American woman to be commissioned as a Naval Flight Officer from the United States Naval Academy;

Whereas, in 1991, a woman midshipman became the first woman Brigade Commander at the United States Naval Academy;

Whereas, on May 13, 1993, a member of the United States Naval Academy class of 1981 became the first woman to be assigned to a combat aircrew;

Whereas, on March 2, 1995, a member of the United States Naval Academy class of 1981 became the first woman from the Navy to travel to space aboard space shuttle *Endeavour*;

Whereas, on March 12, 1999, a member of the United States Naval Academy class of 1982 became the first African-American woman to captain a United States Naval Ship, the USS *Rushmore*;

Whereas, in 2004, a member of the United States Naval Academy class of 1998 became the first woman to be selected to attend the Fighter Weapons School of the Navy and become a Top Gun pilot;

Whereas, in 2004, a woman was first appointed Vice Academic Dean at the United States Naval Academy;

Whereas, in 2006, a member of the United States Naval Academy class of 1981 became the first woman Commandant of Midshipmen at the United States Naval Academy;

Whereas, in 2007, a member of the United States Naval Academy class of 1989 became the first woman to assume command of an operational fighter squadron;

Whereas, in May 2010, the first 11 women to be trained for the Ohio Class Submarine graduated from the United States Naval Academy;

Whereas, in 2013, the woman that was the first woman graduate of the United States Naval Academy to command an operational fighter squadron became the first woman to assume command of a carrier air wing;

Whereas, on July 1, 2014, a member of the United States Naval Academy class of 1982 became the first woman to be a 4-star naval officer and was the first woman and first African-American to be appointed to the position of Vice Chief of Naval Operations;

Whereas, on June 17, 2011, a member of the United States Naval Academy class of 1986 became the first woman to be Commander of the Marine Corps Recruit Depot at Parris Island;

Whereas, in 2013, a member of the United States Naval Academy class of 1991 became the first woman to be Deputy Commandant of the United States Naval Academy;

Whereas, in 2016, 25 percent of the graduating class of the United States Naval Academy were women; and

Whereas, between 1980 and 2016, more than 4,800 women commissioned through the United States Naval Academy: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week of September 5 through September 9, 2016, as “Recognizing the 40th Anniversary of Women at the United States Naval Academy Week”; and

(2) honors past and present women who serve in the Armed Forces of the United States.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 4985. Ms. KLOBUCHAR (for herself, Mr. PORTMAN, Ms. STABENOW, and Mr. KIRK) submitted an amendment intended to be proposed by her to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table.

SA 4986. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2848, supra; which was ordered to lie on the table.

SA 4987. Mr. JOHNSON (for himself and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, supra; which was ordered to lie on the table.

SA 4988. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, supra; which was ordered to lie on the table.

SA 4989. Mr. MARKEY (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, supra; which was ordered to lie on the table.

SA 4990. Mr. MARKEY (for himself, Ms. WARREN, Ms. STABENOW, and Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, supra; which was ordered to lie on the table.

SA 4991. Mr. MERKLEY (for himself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, supra.

SA 4992. Mr. WYDEN (for himself, Mr. SULLIVAN, Mr. MERKLEY, and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, supra; which was ordered to lie on the table.

SA 4993. Mr. MCCAIN (for himself, Mr. COTTON, Mr. BARRASSO, Mr. SASSE, Mr. FLAKE, and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill S. 2848, supra; which was ordered to lie on the table.

SA 4994. Mr. BURR (for himself and Mr. TILLS) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, supra; which was ordered to lie on the table.

SA 4995. Mr. BLUNT submitted an amendment intended to be proposed by him to the bill S. 2848, supra; which was ordered to lie on the table.

SA 4996. Mrs. FISCHER (for herself, Mrs. ERNST, Mr. ROBERTS, Mr. BOOZMAN, Mr. RISCH, Mr. SASSE, and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, supra; which was ordered to lie on the table.

SA 4997. Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, supra; which was ordered to lie on the table.

SA 4998. Mr. KIRK (for himself, Ms. KLOBUCHAR, Mr. PORTMAN, Mr. DURBIN, Mr. JOHNSON, Mr. DONNELLY, Mr. BROWN, Ms. STABENOW, Ms. BALDWIN, and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, supra; which was ordered to lie on the table.

SA 4999. Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5000. Mr. MARKEY (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5001. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5002. Mr. HATCH (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5003. Ms. MURKOWSKI (for herself and Mr. SULLIVAN) submitted an amendment in-

tended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5004. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5005. Ms. MURKOWSKI (for herself and Mr. SULLIVAN) submitted an amendment intended to be proposed by her to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5006. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, supra; which was ordered to lie on the table.

SA 5007. Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 4985.** Ms. KLOBUCHAR (for herself, Mr. PORTMAN, Ms. STABENOW, and Mr. KIRK) submitted an amendment intended to be proposed by her to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ . AMENDMENTS TO THE GREAT LAKES FISH AND WILDLIFE RESTORATION ACT OF 1990.

(a) REFERENCES.—Except as otherwise expressly provided, wherever in this section an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made to a section or other provision of the Great Lakes Fish and Wildlife Restoration Act of 1990 (16 U.S.C. 941 et seq.).

(b) FINDINGS.—The Act is amended by striking section 1002 and inserting the following:

#### “SEC. 1002. FINDINGS.

“Congress finds that—

“(1) the Great Lakes have fish and wildlife communities that are structurally and functionally changing;

“(2) successful fish and wildlife management focuses on the lakes as ecosystems, and effective management requires the coordination and integration of efforts of many partners;

“(3) it is in the national interest to undertake activities in the Great Lakes Basin that support sustainable fish and wildlife resources of common concern provided under the Great Lakes Restoration Initiative Action Plan based on the recommendations of the Great Lakes Regional Collaboration authorized under Executive Order 13340 (69 Fed. Reg. 29043; relating to the Great Lakes Interagency Task Force);

“(4) additional actions and better coordination are needed to protect and effectively manage the fish and wildlife resources, and the habitats on which the resources depend, in the Great Lakes Basin;

“(5) as of the date of enactment of this Act, actions are not funded that are considered essential to meet the goals and objectives in managing the fish and wildlife resources, and the habitats on which the resources depend, in the Great Lakes Basin; and

“(6) this Act allows Federal agencies, States, and Indian tribes to work in an effective partnership by providing the funding for restoration work.”.

(c) IDENTIFICATION, REVIEW, AND IMPLEMENTATION OF PROPOSALS AND REGIONAL PROJECTS.—

(1) REQUIREMENTS FOR PROPOSALS AND REGIONAL PROJECTS.—Section 1005(b)(2)(B) (16 U.S.C. 941c(b)(2)(B)) is amended—

(A) in clause (v), by striking “and” at the end;

(B) in clause (vi), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(vii) the strategic action plan of the Great Lakes Restoration Initiative; and

“(viii) each applicable State wildlife action plan.”.

(2) REVIEW OF PROPOSALS.—Section 1005(c)(2)(C) (16 U.S.C. 941c(c)(2)(C)) is amended by striking “Great Lakes Coordinator of the”.

(3) COST SHARING.—Section 1005(e) (16 U.S.C. 941c(e)) is amended—

(A) in paragraph (1)—

(i) by striking “Except as provided in paragraphs (2) and (4), not less than 25 percent of the cost of implementing a proposal” and inserting the following:

“(A) NON-FEDERAL SHARE.—Except as provided in paragraphs (3) and (5) and subject to paragraph (2), not less than 25 percent of the cost of implementing a proposal or regional project”; and

(ii) by adding at the end the following:

“(B) TIME PERIOD FOR PROVIDING MATCH.—The non-Federal share of the cost of implementing a proposal or regional project required under subparagraph (A) may be provided at any time during the 2-year period preceding January 1 of the year in which the Director receives the application for the proposal or regional project.”;

(B) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(C) by inserting before paragraph (3) (as so redesignated) the following:

“(2) AUTHORIZED SOURCES OF NON-FEDERAL SHARE.—

“(A) IN GENERAL.—The Director may determine the non-Federal share under paragraph (1) by taking into account—

“(i) the appraised value of land or a conservation easement as described in subparagraph (B); or

“(ii) as described in subparagraph (C), the costs associated with—

“(I) land acquisition or securing a conservation easement; and

“(II) restoration or enhancement of that land or conservation easement.

“(B) APPRAISAL OF LAND OR CONSERVATION EASEMENT.—

“(i) IN GENERAL.—The value of land or a conservation easement may be used to satisfy the non-Federal share of the cost of implementing a proposal or regional project required under paragraph (1)(A) if the Director determines that the land or conservation easement—

“(I) meets the requirements of subsection (b)(2);

“(II) is acquired before the end of the grant period of the proposal or regional project;

“(III) is held in perpetuity for the conservation purposes of the programs of the United States Fish and Wildlife Service related to the Great Lakes Basin, as described in section 1006, by an accredited land trust or conservancy or a Federal, State, or tribal agency;

“(IV) is connected either physically or through a conservation planning process to the proposal or regional project; and

“(V) is appraised in accordance with clause (ii).

“(ii) APPRAISAL.—With respect to the appraisal of land or a conservation easement described in clause (i)—

“(I) the appraisal valuation date shall be not later than 1 year after the price of the land or conservation easement was set under a contract; and

“(II) the appraisal shall—

“(aa) conform to the Uniform Standards of Professional Appraisal Practice (USPAP); and

“(bb) be completed by a Federal- or State-certified appraiser.

“(C) COSTS OF LAND ACQUISITION OR SECURING CONSERVATION EASEMENT.—

“(i) IN GENERAL.—All costs associated with land acquisition or securing a conservation easement and restoration or enhancement of that land or conservation easement may be used to satisfy the non-Federal share of the cost of implementing a proposal or regional project required under paragraph (1)(A) if the activities and expenses associated with the land acquisition or securing the conservation easement and restoration or enhancement of that land or conservation easement meet the requirements of subparagraph (B)(i).

“(ii) INCLUSION.—The costs referred to in clause (i) may include cash, in-kind contributions, and indirect costs.

“(iii) EXCLUSION.—The costs referred to in clause (i) may not be costs associated with mitigation or litigation (other than costs associated with the Natural Resource Damage Assessment program).”.

(d) ESTABLISHMENT OF OFFICES.—Section 1007 (16 U.S.C. 941e) is amended—

(1) in subsection (b)—

(A) in the subsection heading, by striking “FISHERY RESOURCES” and inserting “FISH AND WILDLIFE CONSERVATION”; and

(B) by striking “Fishery Resources” each place it appears and inserting “Fish and Wildlife Conservation”;

(2) in subsection (c)—

(A) in the subsection heading, by striking “FISHERY RESOURCES” and inserting “FISH AND WILDLIFE CONSERVATION”; and

(B) by striking “Fishery Resources” each place it appears and inserting “Fish and Wildlife Conservation”;

(3) by striking subsection (a); and

(4) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively.

(e) REPORTS.—Section 1008 (16 U.S.C. 941f) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking “2011” and inserting “2021”;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “2007 through 2012” and inserting “2016 through 2020”; and

(B) in paragraph (5), by inserting “the Great Lakes Restoration Initiative Action Plan based on” after “in support of”; and

(3) by striking subsection (c) and inserting the following:

“(c) CONTINUED MONITORING AND ASSESSMENT OF STUDY FINDINGS AND RECOMMENDATIONS.—The Director—

“(1) shall continue to monitor the status, and the assessment, management, and restoration needs, of the fish and wildlife resources of the Great Lakes Basin; and

“(2) may reassess and update, as necessary, the findings and recommendations of the Report.”.

(f) AUTHORIZATION OF APPROPRIATIONS.—Section 1009 (16 U.S.C. 941g) is amended—

(1) in the matter preceding paragraph (1), by striking “2007 through 2012” and inserting “2016 through 2021”;

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “\$14,000,000” and inserting “\$6,000,000”;

(B) in subparagraph (A), by striking “\$4,600,000” and inserting “\$2,000,000”; and

(C) in subparagraph (B), by striking “\$700,000” and inserting “\$300,000”; and

(3) in paragraph (2), by striking “the activities of” and all that follows through “section 1007” and inserting “the activities of the Upper Great Lakes Fish and Wildlife Conservation Offices and the Lower Great Lakes Fish and Wildlife Conservation Office under section 1007”.

(g) CONFORMING AMENDMENT.—Section 8 of the Great Lakes Fish and Wildlife Restoration Act of 2006 (16 U.S.C. 941 note; Public Law 109-326) is repealed.

**SA 4986.** Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_ (a) Congress finds that neither the 2001 Authorization for Use of Military Force (Public Law 107-40; 50 U.S.C. 1541 note) or the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107-243; 50 U.S.C. 1541 note) authorize the use of military force against the Islamic State in Iraq and al-Sham (ISIS).

(b) It is the sense of Congress that the President, unless acting out of self-defense or to address an imminent threat to the United States, is not authorized to conduct military operations against ISIS without explicit authorization for the use of such force, and Congress should debate and pass such an authorization.

**SA 4987.** Mr. JOHNSON (for himself and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI, add the following:

SEC. 60 \_\_\_\_ . STUDY ON OWNERSHIP OF NEENAH DAM, WISCONSIN.

The Secretary shall conduct a study to determine if it is in the interest of the Federal Government and the Secretary to assume ownership of the Neenah Dam, Fox River, Wisconsin.

**SA 4988.** Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 80 \_\_\_\_ . PATTERSON LAKE LAND CONVEYANCES.

(a) DEFINITIONS.—In this section:

(1) DEPARTMENT.—The term “Department” means Dickinson Parks & Recreation in Dickinson, North Dakota (or a successor in interest to that entity).

(2) DICKINSON RESERVOIR.—The term “Dickinson Reservoir” means the Dickinson Reservoir constructed as part of the Dickinson Unit, Heart Division, Pick-Sloan Missouri Basin Program, as authorized by section 9 of the Act of December 22, 1944 (commonly known as the “Flood Control Act of 1944”) (58 Stat. 891, chapter 665).

(3) PERMITTEE.—The term “permittee” means the holder of a permit for a property.

(4) PROPERTY.—The term “property” means any 1 of the cabin sites located on Federal property around the Dickinson Reservoir for which a permit is in effect on the date of enactment of this Act.

(5) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Commissioner of Reclamation.

(b) PURCHASE OF PROPERTY BY PERMITTEE; TRANSFERS TO DEPARTMENT.—

(1) OPTION.—The Secretary shall provide to the permittee of a property the first option to purchase that property for fair market value in accordance with paragraph (2).

(2) PURCHASE.—

(A) IN GENERAL.—On an election by a permittee to exercise the option to purchase a property pursuant to paragraph (1), the Secretary shall convey to the permittee, for fair market value—

(i) all right, title, and interest of the United States in and to the property, subject to valid existing rights; and

(ii) easements for—

(I) vehicular access to the property;

(II) access to, and use of, a dock for the property; and

(III) access to, and use of, all boathouses, ramps, retaining walls, and other improvements for which access is provided in the permit for use of the property as of the date of enactment of this Act.

(B) PERIOD FOR CONVEYANCE.—The Secretary shall convey to a permittee a property pursuant to subparagraph (A) during the period—

(i) beginning on the date that is 1 year after the date of enactment of this Act; and

(ii) ending on the date that is 2 years after that date of enactment.

(C) DISPUTES REGARDING FAIR MARKET VALUE.—Any dispute regarding the fair market value of a property shall be resolved in accordance with section 2201.4 of title 43, Code of Federal Regulations (or successor regulations).

(3) TRANSFERS TO DEPARTMENT.—

(A) FAILURE TO PURCHASE.—If a permittee fails to exercise the option to purchase a property under paragraph (2) by the date that is 2 years after the date of enactment of this Act, the Secretary shall transfer the property to the Department, without cost.

(B) CERTAIN OTHER LAND.—Effective beginning on the date that is 2 years after the date of enactment of this Act, the Secretary shall transfer to the Department, without cost, any Federal land, as of that date—

on which no cabin is located.

(c) OIL, GAS, MINERAL, AND OTHER OUTSTANDING RIGHTS.—Each conveyance to a permittee, and each transfer to the Department, pursuant to subsection (b), shall be made subject to—

(1) oil, gas, and other mineral rights reserved of record, as of the date of enactment of this Act, by, or in favor of, a third party; and

(2) any permit, license, lease, right-of-use, or right-of-way of record in, on, over, or across the applicable property or land that is outstanding to a third party as of the date of enactment of this Act.

(d) RELEASE FROM LIABILITY.—

(1) IN GENERAL.—Effective on the date of conveyance or transfer of any property or land under this section, the United States shall not be liable for damages of any kind arising out of any act, omission, or occurrence relating to the property or land, except for damages for acts of negligence committed by the United States or an employee, agent, or contractor of the United States before the date of conveyance.

(2) NO ADDITIONAL LIABILITY.—Nothing in this section affects any liability of the United States under chapter 171 of title 28, United States Code (commonly known as the “Federal Tort Claims Act”).

(e) REQUIREMENTS RELATING TO CONVEYANCES AND TRANSFERS.—

(1) INTERIM REQUIREMENTS.—During the period beginning on the date of enactment of this Act and ending on the date of conveyance or transfer of a property or land, the provisions of the document entitled “Management Agreement between the Bureau of Reclamation, et al., for the Development, Management, Operation, and Maintenance of Lands and Recreation Facilities at Dickinson Reservoir” that are applicable to the property or land shall remain in force and effect.

(2) LEGAL DESCRIPTIONS.—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with the Department, shall provide to the Department a legal description of all properties and land that may be conveyed or transferred pursuant to this section.

(f) PROCEEDS FROM SALES OF FEDERAL LAND.—Any revenues from a sale of Federal land pursuant to this section shall be made available to the Secretary, without further appropriation, for—

(1) the costs to the Secretary of carrying out this section; and

(2) deferred maintenance activities relating to the operation of the dam in the Dickinson Reservoir.

**SEC. 80. USE OF TRAILER HOMES AT HEART BUTTE DAM AND RESERVOIR (LAKE TSCHIDA).**

(a) DEFINITIONS.—In this section:

(1) ADDITION.—The term “addition” means any enclosed structure added onto the structure of a trailer home that increases the living area of the trailer home.

(2) CAMPER OR RECREATIONAL VEHICLE.—The term “camper or recreational vehicle” includes—

(A) a camper, motorhome, trailer camper, bumper hitch camper, fifth wheel camper, or equivalent mobile shelter; and

(B) a recreational vehicle.

(3) IMMEDIATE FAMILY.—The term “immediate family” means a spouse, grandparent, parent, sibling, child, or grandchild.

(4) PERMIT.—The term “permit” means a permit issued by the Secretary authorizing the use of a lot in a trailer area.

(5) PERMIT YEAR.—The term “permit year” means the period beginning on April 1 of a calendar year and ending on March 31 of the following calendar year.

(6) PERMITTEE.—The term “permittee” means a person holding a permit.

(7) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Commissioner of Reclamation.

(8) TRAILER AREA.—The term “trailer area” means any of the following areas at Heart Butte Dam and Reservoir (Lake Tschida) (as described in the document of the Bureau of Reclamation entitled “Heart Butte Reservoir Resource Management Plan” (March 2008):

(A) Trailer Area 1 and 2, also known as Management Unit 034.

(B) Southside Trailer Area, also known as Management Unit 014.

(9) TRAILER HOME.—The term “trailer home” means a dwelling placed on a supporting frame that—

(A) has or had a tow-hitch; and

(B) is made mobile, or is capable of being made mobile, by an axle and wheels.

(b) PERMITTED USE.—

(1) IN GENERAL.—Subject to the requirements of this section, on request by a permittee, the Secretary shall issue a 5-year permit for the use of a lot in a trailer area as described in paragraphs (2) and (3).

(2) TRAILER HOMES.—With respect to a trailer home, a permit for each permit year shall authorize the permittee—

(A) from April 1 to October 31—

(i) to park the trailer home on the lot;

(ii) to use the trailer home on the lot; and

(iii) to physically move the trailer home on and off the lot; and

(B) at any time during the permit year—

(i) to leave the trailer home parked on the lot; and

(ii) to leave on the lot any addition, deck, porch, entryway, step to the trailer home, propane tank, or storage shed.

(3) CAMPERS OR RECREATIONAL VEHICLES.—With respect to a camper or recreational vehicle, a permit shall, for each permit year—

(A) from April 1 to October 31, authorize the permittee—

(i) to park the camper or recreational vehicle on the lot;

(ii) to use the camper or recreational vehicle on the lot; and

(iii) to move the camper or recreational vehicle on and off the lot; and

(B) from November 1 to March 31, require a permittee to remove the camper or recreational vehicle from the lot.

(c) RENEWAL OF PERMITS.—

(1) IN GENERAL.—Subject to paragraph (2), when a permit expires, on request by the permittee, the Secretary shall renew the permit for an unlimited number of additional 5-year terms.

(2) REQUIREMENT FOR TRAILER HOMES.—The Secretary shall require removal of a trailer home in a trailer area if the trailer home has been flooded a majority of the years during any 5-year permit period.

(3) REMOVAL AND NEW USE.—If the Secretary requires removal of a trailer home under paragraph (2), on request by the permittee, the Secretary shall authorize the permittee—

(A) to remain on the lot; and

(B) to replace the trailer home with a camper or recreational vehicle.

(d) TRANSFER OF PERMITS.—

(1) TRANSFER OF TRAILER HOME TITLE.—If a permittee transfers title to a trailer home permitted on a lot in a trailer area, the Secretary shall issue a permit to the transferee, subject to the conditions described in paragraph (3).

(2) TRANSFER OF CAMPER OR RECREATIONAL VEHICLE TITLE.—If a permittee who has a permit to use a camper or recreational vehicle on a lot in a trailer area transfers title to the interests of the permittee on or to the lot, the Secretary shall issue a permit to the transferee, subject to the conditions described in paragraph (3).

(3) CONDITIONS.—A permit issued by the Secretary under paragraph (1) or (2) shall be subject to the following conditions:

(A) A permit may not be held in the name of a corporation.

(B) A permittee may not have an interest in, or control of, more than 1 seasonal trailer home site in the Great Plains Region of the Bureau of Reclamation, inclusive of sites located on tracts permitted to organized groups on Reclamation reservoirs.

(C) Not more than 2 persons may be permittees under 1 permit, unless—

(i) approved by the Secretary; or

(ii) the additional persons are immediate family members of the permittees.

(e) ANCHORING REQUIREMENTS FOR TRAILER HOMES.—

(1) IN GENERAL.—The Secretary shall require compliance with—

(A) for each trailer home in a trailer area (other than a trailer home described in paragraph (2)(B)), the anchoring requirements described in paragraph (2)(A); and

(B) for other objects on a lot in a trailer area, the anchoring requirements described in paragraph (3).

(2) ANCHORING REQUIREMENTS DESCRIBED.—

(A) IN GENERAL.—For trailer homes other than the trailer homes described in subparagraph (B), the anchoring requirements referred to in paragraph (1)(A) are the following:

(i) For a trailer home that is fewer than 50 feet in length, a minimum of 6 frame ties per side shall be provided, to be located as follows:

(I) One frame tie at each corner.

(II) The remaining frame ties at intermediate locations.

(ii) For a trailer home that is 50 feet or more in length, a minimum of 7 frame ties per side shall be provided, to be located as follows:

(I) One frame tie at each corner.

(II) The remaining frame ties at intermediate locations.

(iii) If the quantity of frame ties and over-the-top ties provided on a trailer home by the trailer home manufacturer is in excess of the minimum quantity required under clause (i) or (ii), as applicable, the total quantity provided by the trailer home manufacturer shall be used.

(iv) If an over-the-top tie is located directly above a frame tie, both the over-the-top tie and the frame tie may be fastened to the same anchor.

(v)(I) Each frame tie shall connect the anchor to the main structural frame that runs lengthwise under the trailer home.

(II) Any tie made to an outrigger beam shall not be credited to the minimum quantity of frame ties required in clause (i) or (ii), as applicable.

(vi) With respect to each flat steel strap used as a tie—

(I) the steel strap shall—

(aa) be 1.25 inches by .035 inch, with a minimum breaking strength of 4,800 pounds; and

(bb) be—

(AA) fastened to a ground anchor, and fastened in such a manner that will not cause distortion on the strap or reduce the breaking strength of the strap; and

(BB) drawn tight with 1 or more galvanized fasteners or connectors and a tensioning device;

(II) any sharp edge of the trailer home that would tend to cut the steel strap shall be protected by a suitable device to prevent cutting; and

(III) if necessary, the steel strap shall be prevented from knifing through the trailer home.

(vii) Each ground anchor shall be of the auger-type, at least 48 inches long, and equipped with at least 1 helix having a minimum diameter of at least 6 inches.

(viii) Each ground anchor shall have—

(I) at least a ¾-inch steel shaft;

(II) a fastener or connector and a tensioning device; and

(III) a minimum breaking strength of 4,800 pounds.

(B) ALTERNATIVE ANCHORING REQUIREMENTS FOR TRAILER HOMES.—A trailer home shall not be required to comply with the anchoring requirements described in subparagraph (A) if—

(i)(I) the trailer home was or is installed after 2005; and

(II) the installation complied with and continues to comply with foundation installation requirements of the Department of Housing and Urban Development (as in effect at the time of the installation); or

(ii) the anchoring system of the trailer home is certified to be of equal or better strength than the system described in subparagraph (A), as determined by a person qualified to make such a certification.

(3) ADDITIONAL ANCHORING REQUIREMENTS.—

(A) ADDITIONS TO TRAILER HOMES.—

(i) IN GENERAL.—Each addition to a trailer home subject to the anchoring requirements described in paragraph (2)(A) shall be anchored in accordance with the applicable requirements described in that paragraph.

(ii) ALTERNATIVE REQUIREMENTS.—Each addition to a trailer home subject to the anchoring requirements described in paragraph (2)(B)(i) shall be anchored in accordance with the requirements described in that paragraph.

(B) OTHER OBJECTS.—Each deck, porch, entryway, step, propane tank, and storage shed on a lot in a trailer area shall be anchored in a secure and practical manner.

(F) REPLACEMENT REMOVAL AND RETURN.—

(1) REPLACEMENT.—Permittees may replace their trailer home with another trailer home.

(2) REMOVAL AND RETURN.—Permittees may—

(A) remove their trailer home; and

(B) if the permittee removes their trailer home under subparagraph (A), return the trailer home to the lot of the permittee.

(g) LIABILITY.—The United States shall not be liable for damages arising out of any act, omission, or occurrence relating to a lot to which a permit applies, other than for damages caused by an act or omission of the United States or an employee, agent, or contractor of the United States before the date of enactment of this Act.

**SA 4989.** Mr. MARKEY (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

**SEC. 20 . REGIONAL SEDIMENT MANAGEMENT.**

Section 204 of the Water Resources Development Act of 1992 (33 U.S.C. 2326) is amended—

(1) in subsection (a)(1)—

(A) by striking “For sediment” and inserting the following:

“(A) IN GENERAL.—For sediment”;

(B) in subparagraph (A) (as designated by subparagraph (A))—

(i) by striking “an authorized” and inserting “any type of authorized”; and

(ii) by striking “at locations” and inserting “at nearshore or onshore locations”; and

(C) by adding at the end the following:

“(B) SEDIMENT FROM OTHER FEDERAL SOURCES AND NON-FEDERAL SOURCES.—For purposes of projects carried out under this section, the Secretary may include sediment from other Federal sources and non-Federal sources, subject to the requirement that any sediment obtained from a non-Federal source shall not be obtained at Federal expense.”; and

(2) in subsection (c), by adding at the end the following:

“(3) APPROPRIATE APPLICATION OF NON-FEDERAL RESPONSIBILITIES.—

“(A) DEFINITION OF PERIOD OF ANALYSIS.—In this paragraph, the term ‘period of analysis’, with respect to a project under this section, means the period—

“(i) beginning on the date of implementation of the project; and

“(ii) ending on the date on which the project no longer produces the beneficial outputs for which the project was designed.

“(B) REQUIREMENT.—For any project under this section, the Secretary shall ensure that the non-Federal requirements described in subsections (a)(1)(B), (b)(1), and (i) of section 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2213) shall apply to the project only during the period of analysis of the project.”.

**SA 4990.** Mr. MARKEY (for himself, Ms. WARREN, Ms. STABENOW, and Mr. PETERS) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

**SEC. 20 . EDUCATION AND RESEARCH HARBORS.**

(a) DEFINITION OF ELIGIBLE HARBOR.—The term “eligible harbor” means a harbor that supports or will support a federally owned vessel operated by—

(1) a State maritime academy (as defined in section 51102 of title 46, United States Code); or

(2) a non-Federal oceanographic research facility.

(b) ESTABLISHMENT OF PROGRAM.—The Secretary may establish a program to provide assistance to a non-Federal interest for a project relating to an eligible harbor.

(c) FORM OF ASSISTANCE.—A non-Federal interest may receive assistance for a project for—

(1) the construction and maintenance dredging of an eligible harbor;

(2) the construction, installation, or maintenance of infrastructure in an eligible harbor, including bulkheads, aprons, and piles;

(3) the construction and maintenance dredging of a berth in an eligible harbor; or

(4) the construction and maintenance dredging providing access from an eligible harbor to the nearest navigation channel or deep water.

(d) LOCAL COOPERATION AGREEMENT.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into a local cooperation agreement (referred to in this subsection as an “agreement”) with a non-Federal interest to provide for design and construction of the project to be carried out with the assistance.

(2) REQUIREMENTS.—An agreement entered into under this subsection shall provide for the following:

(A) PLAN.—Development by the Secretary, in consultation with appropriate Federal and State officials, of a facilities or resource protection and development plan, including appropriate engineering plans and specifications.

(B) LEGAL AND INSTITUTIONAL STRUCTURES.—Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—Except as otherwise provided in this paragraph, the Federal share of project costs for a project under this section—

(i) shall not exceed 50 percent; and  
(ii) may be in the form of grants or reimbursements of project costs.

(B) CREDIT FOR DESIGN WORK.—The non-Federal interest shall receive credit for the reasonable costs of design work completed by the non-Federal interest before entering into an agreement with the Secretary for a project.

(C) CREDIT FOR INTEREST.—In the case of a delay in the funding of the Federal share of the costs of a project under this section, the non-Federal interest shall receive credit for reasonable interest incurred in providing the Federal share of the project costs.

(D) LAND, EASEMENTS, RIGHTS-OF-WAY, AND RELOCATIONS.—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations provided by the non-Federal interest toward the non-Federal share of project costs (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but not to exceed 25 percent of the total project cost.

(E) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for a project under this section shall be 100 percent.

(f) APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.—Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law (including regulations) that would otherwise apply to a project under this section.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section for each fiscal year an amount not greater than \$5,000,000, to remain available until expended.

**SA 4991.** Mr. MERKLEY (for himself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; as follows:

At the end of subtitle B of title VII, add the following:

**SEC. 7206. LOAN FORGIVENESS FOR LOCAL IRRIGATION DISTRICTS.**

Subsection (j)(1) of section 603 of the Federal Water Pollution Control Act (33 U.S.C. 1383) (as redesignated by section 7202(b)(1)(A)(ii)) is amended—

(1) in the matter preceding subparagraph (A), by striking “to a municipality or an intermunicipal, interstate, or State agency” and inserting “to an eligible recipient”; and  
(2) in subparagraph (A), in the matter preceding clause (i), by inserting “in assistance to a municipality or intermunicipal, interstate, or State agency” before “to benefit”.

**SA 4992.** Mr. WYDEN (for himself, Mr. SULLIVAN, Mr. MERKLEY, and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to riv-

ers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

**SEC. 20. EMERGING HARBOR PROJECTS.**

Section 210(c)(3) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(c)(3)) (as amended by section 2009) is amended by striking “2012” and inserting “2015”.

**SA 4993.** Mr. MCCAIN (for himself, Mr. COTTON, Mr. BARRASSO, Mr. SASSE, Mr. FLAKE, and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. . MODIFICATIONS TO EXEMPTION FROM REQUIREMENT TO MAINTAIN HEALTH COVERAGE.**

(a) EXEMPTION FOR INDIVIDUALS IN AREAS WITH FEWER THAN 2 ISSUERS OFFERING PLANS ON AN EXCHANGE.—Section 5000A(e) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(6) INDIVIDUALS IN AREAS WITH FEWER THAN 2 ISSUERS OFFERING PLANS ON AN EXCHANGE.—

“(A) IN GENERAL.—Any applicable individual for any period during a calendar year if there are fewer than 2 health insurance issuers offering qualified health plans on an Exchange for such period in the county in which the applicable individual resides.

“(B) AGGREGATION RULES.—For purposes of subparagraph (A), all health insurance issuers treated as a single employer under subsection (a) or (b) of section 52, or subsection (m) or (o) of section 414, shall be treated as a single health insurance issuer.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after the date of the enactment of this Act.

**SA 4994.** Mr. BURR (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

**SEC. 80. RECREATIONAL ACCESS OF FLOATING CABINS.**

The Tennessee Valley Authority Act of 1933 is amended by inserting after section 9a (16 U.S.C. 831h-1) the following:

**“SEC. 9b. RECREATIONAL ACCESS.**

“(a) DEFINITION OF FLOATING CABIN.—In this section, the term ‘floating cabin’ means a watercraft or other floating structure—

“(1) primarily designed and used for human habitation or occupation; and

“(2) not primarily designed or used for navigation or transportation on water.

“(b) RECREATIONAL ACCESS PERMITTED.—The Board may approve and allow the construction and use of a floating cabins on waters under the jurisdiction of the Corporation if—

“(1) the floating cabin is maintained by the owner to reasonable health, safety, and environmental standards, as required by the Board; and

“(2) the Corporation has authorized the use of recreational vessels on the waters.

“(c) FEES.—The Board may assess fees on the owner of a floating cabin on waters under the jurisdiction of the Corporation for the purpose of ensuring compliance with subsection (b) if the fees are necessary and reasonable for those purposes.

“(d) CONTINUED RECREATIONAL USE.—With respect to a floating cabin located on waters under the jurisdiction of the Corporation on the date of enactment of this section, the Board—

“(1) may not require the removal of the floating cabin—

“(A) in the case of a floating cabin that was granted a permit by the Corporation before the date of enactment of this section, for a period of 15 years beginning on that date of enactment; and

“(B) in the case of a floating cabin not granted a permit by the Corporation before the date of enactment of this section, for a period of 5 years beginning on that date of enactment; and

“(2) shall approve and allow the use of the floating cabin on waters under the jurisdiction of the Corporation at such time and for such duration as—

“(A) the floating cabin meets the requirements of subsection (b); and

“(B) the owner of the floating cabin has paid any fee assessed pursuant to subsection (c).”.

**SA 4995.** Mr. BLUNT submitted an amendment intended to be proposed by him to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI, add the following:

**SEC. 60. TABLE ROCK LAKE, MISSOURI.**

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary—

(1) shall extend the public comment period for the Table Rock Lake Master Plan revision; and

(2) shall not finalize the revision for the Table Rock Lake Master Plan during the 5-year period beginning on the date of enactment of this Act.

(b) SHORELINE USE PERMITS.—During the period described in subsection (a)(2), the Secretary shall lift or suspend the moratorium on issuance of shoreline use permits for Table Rock Lake.

(c) STUDY.—

(1) IN GENERAL.—The Secretary shall—

(A) carry out a study on the need to revise permit fees relating to Table Rock Lake to better reflect the cost of issuing those fees and achieve cost savings; and

(B) submit to Congress a report on the results of the study described in subparagraph (A).

(2) REQUIREMENT.—The Secretary shall complete the study under paragraph (1)(A) before adopting any revision to the Table Rock Lake Shoreline Management Plan.

**SA 4996.** Mrs. FISCHER (for herself, Mrs. ERNST, Mr. ROBERTS, Mr. BOOZMAN, Mr. RISCH, Mr. SASSE, and Mr. CRAPO) submitted an amendment intended to be proposed to amendment

SA 4979 proposed by Mr. INHOFE to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:  
**SEC. 8 . . . SPILL PREVENTION, CONTROL, AND COUNTERMEASURE RULE.**

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) FARM.—The term “farm” has the meaning given the term in section 112.2 of title 40, Code of Federal Regulations (or a successor regulation).

(3) GALLON.—The term “gallon” means a United States liquid gallon.

(4) HISTORY OF A SPILL.—The term “history of a spill” has the meaning given the term “reportable oil discharge history” in section 1049(a) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 1361 note; Public Law 113–121).

(5) SPILL PREVENTION, CONTROL, AND COUNTERMEASURE RULE.—The term “spill prevention, control, and countermeasure rule” means the regulations promulgated by the Administrator under part 112 of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(b) APPLICABILITY OF SPILL PREVENTION, CONTROL, AND COUNTERMEASURE RULE.—

(1) IN GENERAL.—In implementing the spill prevention, control, and countermeasure rule with respect to any farm, the Administrator shall—

(A) require a certification of compliance with the spill prevention, control, and countermeasure rule by—

(i) a professional engineer for a farm with—

(I) an individual tank with an aboveground storage capacity that is greater than 10,000 gallons;

(II) an aggregate aboveground storage capacity that is not less than 42,000 gallons; or

(III) a history of a spill; or

(ii) the owner or operator of the farm (via self-certification) for a farm with—

(I) an aggregate aboveground storage capacity that is—

(aa) greater than 10,000 gallons; and

(bb) less than 42,000 gallons; and

(II) no history of a spill; and

(B) exempt from all requirements of the spill prevention, control, and countermeasure rule any farm with—

(i) an aggregate aboveground storage capacity that is not greater than 10,000 gallons; and

(ii) no history of a spill.

(2) CALCULATION OF ABOVEGROUND STORAGE CAPACITY.—

(A) IN GENERAL.—For purposes of paragraph (1), the calculation of the aggregate aboveground storage capacity of a farm shall not include any container on a separate parcel with a capacity that is less than 1,320 gallons.

(B) ANIMAL FEED INGREDIENTS.—For purposes of paragraph (1), the calculations of the aggregate aboveground storage capacity of a farm and the aboveground storage capacity of an individual tank on a farm shall not include any container holding animal feed ingredients that are approved by the Commissioner of Food and Drugs for use in livestock feed.

**SA 4997.** Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment

intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

**SEC. 8 . . . INTERNATIONAL OUTFALL INTERCEPTOR REPAIR, OPERATIONS, AND MAINTENANCE.**

Notwithstanding any other provision of law, including the memorandum of agreement between the United States Section of the International Boundary and Water Commission and the City of Nogales, Arizona, dated January 20, 2006, the United States Section of the International Boundary and Water Commission shall be the sole entity responsible for the repair, operating costs, and maintenance of the international outfall interceptor and the Nogales wash, located in Nogales, Arizona.

**SA 4998.** Mr. KIRK (for himself, Ms. KLOBUCHAR, Mr. PORTMAN, Mr. DURBIN, Mr. JOHNSON, Mr. DONNELLY, Mr. BROWN, Ms. STABENOW, Ms. BALDWIN, and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II, add the following:

**SEC. 20 . . . GREAT LAKES NAVIGATION SYSTEM.**

Section 210(c)(4) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(c)(4)) is amended—

(1) by striking “To sustain” and inserting the following:

“(A) IN GENERAL.—To sustain”; and

(2) by adding at the end the following:

“(B) FUNDING.—Notwithstanding any other provision of this subsection, in making expenditures under paragraph (1) for each of fiscal years 2015 through 2024, the Secretary shall allocate for operation and maintenance costs of projects within the Great Lakes Navigation System an amount that is not less than 10 percent of the funds made available under this section for fiscal year 2015 to pay the costs described in subsection (a)(2).”.

**SA 4999.** Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

**SEC. 80 . . . EXEMPTION OF RURAL WATER PROJECTS FROM CERTAIN RENTAL FEES.**

Section 504(g) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1764(g)) is amended in the eighth sentence by

inserting “and for any rural water project serving fewer than 3,300 individuals that is federally financed (including a project that receives Federal funds under the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) or from a State drinking water treatment revolving loan fund established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12))” after “such facilities”.

**SA 5000.** Mr. MARKEY (for himself and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 5001, add the following:

(i) ESSEX RIVER, MASSACHUSETTS.—

(1) IN GENERAL.—The portions of the project for navigation, Essex River, Massachusetts, authorized by the first section of the Act of July 13, 1892 (27 Stat. 96, chapter 158), and modified by the first section of the Act of March 3, 1899 (30 Stat. 1133, chapter 425), and the first section of the Act of March 2, 1907 (34 Stat. 1075, chapter 2509), that do not lie within the areas described in paragraph (2) are no longer authorized beginning on the date of enactment of this Act.

(2) AREAS DESCRIBED.—The areas described in this paragraph are—

(A) beginning at a point N. 3056139.82, E. 851780.21;

(B) running southwesterly about 156.88 feet to a point N. 3055997.75, E. 851713.67;

(C) running southwesterly about 64.59 feet to a point N. 3055959.37, E. 851661.72;

(D) running southwesterly about 145.14 feet to a point N. 3055887.10, E. 851535.85;

(E) running southwesterly about 204.91 feet to a point N. 3055855.12, E. 851333.45;

(F) running northwesterly about 423.50 feet to a point N. 3055976.70, E. 850927.78;

(G) running northwesterly about 58.77 feet to a point N. 3056002.99, E. 850875.21;

(H) running northwesterly about 240.57 feet to a point N. 3056232.82, E. 850804.14;

(I) running northwesterly about 203.60 feet to a point N. 3056435.41, E. 850783.93;

(J) running northwesterly about 78.63 feet to a point N. 3056499.63, E. 850738.56;

(K) running northwesterly about 60.00 feet to a point N. 3056526.30, E. 850684.81;

(L) running southwesterly about 85.56 feet to a point N. 3056523.33, E. 850599.31;

(M) running southwesterly about 36.20 feet to a point N. 3056512.37, E. 850564.81;

(N) running southwesterly about 80.10 feet to a point N. 3056467.08, E. 850498.74;

(O) running southwesterly about 169.05 feet to a point N. 3056334.36, E. 850394.03;

(P) running northwesterly about 48.52 feet to a point N. 3056354.38, E. 850349.83;

(Q) running northeasterly about 83.71 feet to a point N. 3056436.35, E. 850366.84;

(R) running northeasterly about 212.38 feet to a point N. 3056548.70, E. 850547.07;

(S) running northeasterly about 47.60 feet to a point N. 3056563.12, E. 850592.43;

(T) running northeasterly about 101.16 feet to a point N. 3056566.62, E. 850693.53;

(U) running southeasterly about 80.22 feet to a point N. 3056530.97, E. 850765.40;

(V) running southeasterly about 99.29 feet to a point N. 3056449.88, E. 850822.69;

(W) running southeasterly about 210.12 feet to a point N. 3056240.79, E. 850843.54;

(X) running southeasterly about 219.46 feet to a point N. 3056031.13, E. 850908.38;

(Y) running southeasterly about 38.23 feet to a point N. 3056014.02, E. 850942.57;

(Z) running southeasterly about 410.93 feet to a point N. 3055896.06, E. 851336.21;

(AA) running northeasterly about 188.43 feet to a point N. 3055925.46, E. 851522.33;

(BB) running northeasterly about 135.47 feet to a point N. 3055992.91, E. 851639.80;

(CC) running northeasterly about 52.15 feet to a point N. 3056023.90, E. 851681.75; and

(DD) running northeasterly about 91.57 feet to a point N. 3056106.82, E. 851720.59.

**SA 5001.** Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:  
**SEC. 80 . LAKE OAHE EASEMENT.**

The Secretary shall not grant an easement for the Lake Oahe crossing for the Dakota Access Pipeline until the date on which an environmental impact statement with respect to the easement is completed.

**SA 5002.** Mr. HATCH (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:  
**SEC. 8 . PREPAYMENT OF CERTAIN REPAYMENT OBLIGATIONS UNDER CONTRACTS BETWEEN THE UNITED STATES AND THE WEBER BASIN WATER CONSERVANCY DISTRICT.**

(a) DEFINITIONS.—In this section:

(1) COVERED CONTRACT.—

(A) IN GENERAL.—The term “covered contract” means the repayment contract numbered 14-06-400-33 between the United States and the Weber Basin Water Conservancy District, dated December 12, 1952, which provides for the repayment of Weber Basin Project construction costs allocated to irrigation and municipal and industrial purposes for which repayment is provided pursuant to the contract under terms and conditions similar to the terms and conditions used in implementing the prepayment provisions in section 210 of the Central Utah Project Completion Act (Public Law 102-575; 106 Stat. 4624).

(B) INCLUSIONS.—The term “covered contract” includes—

(i) any amendments and supplements to the contract described in subparagraph (A); and

(ii) any applicable contracts related to the contract described in subparagraph (A).

(2) DISTRICT.—The term “District” means the Weber Basin Water Conservancy District.

(b) AUTHORIZATION OF PREPAYMENT.—The Secretary of the Interior shall allow for the prepayment of Central Utah Project, Bonneville Unit, repayment obligations under the covered contract.

(c) REQUIREMENTS AND AUTHORITIES.—The prepayment authorized under subsection (b)—

(1) shall result in the United States recovering the net present value of all repayment streams that would have been payable to the United States if this section was not in effect;

(2) may be provided in several installments;

(3) may not be adjusted on the basis of the type of prepayment financing used by the District; and

(4) shall be made in a manner that provides that total repayment is made not later than September 30, 2026.

**SA 5003.** Ms. MURKOWSKI (for herself and Mr. SULLIVAN) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. . REAUTHORIZATION OF DENALI COMMISSION.**

(a) ADMINISTRATION.—Section 303 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105-277) is amended—

(1) in subsection (c)—

(A) in the first sentence, by striking “The Federal Cochairperson” and inserting the following:

“(1) TERM OF FEDERAL COCHAIRPERSON.—The Federal Cochairperson”;

(B) in the second sentence, by striking “All other members” and inserting the following:

“(3) TERM OF ALL OTHER MEMBERS.—All other members”;

(C) in the third sentence, by striking “Any vacancy” and inserting the following:

“(4) VACANCIES.—Except as provided in paragraph (2), any vacancy”;

(D) by inserting before paragraph (3) (as designated by subparagraph (B)) the following:

“(2) INTERIM FEDERAL COCHAIRPERSON.—In the event of a vacancy for any reason in the position of Federal Cochairperson, the Secretary may appoint an Interim Federal Cochairperson, who shall have all the authority of the Federal Cochairperson, to serve until such time as the vacancy in the position of Federal Cochairperson is filled in accordance with subsection (b)(2).”;

(2) by adding at the end the following:

“(f) NO FEDERAL EMPLOYEE STATUS.—No member of the Commission, other than the Federal Cochairperson, shall be considered to be a Federal employee for any purpose.

“(g) CONFLICTS OF INTEREST.—

“(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), no member of the Commission (referred to in this subsection as a “member”) shall participate personally or substantially, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in any proceeding, application, request for a ruling or other determination, contract claim, controversy, or other matter in which, to the knowledge of the member, 1 or more of the following has a direct financial interest:

“(A) The member.

“(B) The spouse, minor child, or partner of the member.

“(C) An organization described in subparagraph (B), (C), (D), (E), or (F) of subsection (b)(1) for which the member is serving as officer, director, trustee, partner, or employee.

“(D) Any individual, person, or organization with which the member is negotiating

or has any arrangement concerning prospective employment.

“(2) DISCLOSURE.—Paragraph (1) shall not apply if the member—

“(A) immediately advises the designated agency ethics official for the Commission of the nature and circumstances of the matter presenting a potential conflict of interest;

“(B) makes full disclosure of the financial interest; and

“(C) before the proceeding concerning the matter presenting the conflict of interest, receives a written determination by the designated agency ethics official for the Commission that the interest is not so substantial as to be likely to affect the integrity of the services that the Commission may expect from the member.

“(3) ANNUAL DISCLOSURES.—Once per calendar year, each member shall make full disclosure of financial interests, in a manner to be determined by the designated agency ethics official for the Commission.

“(4) TRAINING.—Once per calendar year, each member shall undergo disclosure of financial interests training, as prescribed by the designated agency ethics official for the Commission.

“(5) VIOLATION.—Any person that violates this subsection shall be fined not more than \$10,000, imprisoned for not more than 2 years, or both.”.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Section 310 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105-277) (as redesignated by section 1960(1) of SAFETEA-LU (Public Law 109-59; 119 Stat. 1516)) is amended, in subsection (a), by striking “under section 4 under this Act” and all that follows through “2008” and inserting “under section 304, \$20,000,000 for fiscal year 2017, and such sums as are necessary for each of fiscal years 2018 through 2021.”.

(2) CLERICAL AMENDMENT.—Section 310 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105-277) (as redesignated by section 1960(1) of SAFETEA-LU (Public Law 109-59; 119 Stat. 1516)) is redesignated as section 312.

**SA 5004.** Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end subtitle A of title VII, add the following:

**SEC. 71 . MONITORING FOR UNREGULATED CONTAMINANTS.**

Section 1445 of the Safe Drinking Water Act (42 U.S.C. 300j-4) is amended—

(1) in subsection (a)(2)—

(A) by striking subparagraph (A) and inserting the following:

“(A) ESTABLISHMENT.—

“(i) IN GENERAL.—The Administrator shall promulgate regulations establishing the criteria for a monitoring program for unregulated contaminants for all public water systems, regardless of the number of people served by a public water system.

“(ii) REQUIREMENTS.—In promulgating regulations under clause (i), the Administrator shall—

“(I) require the monitoring of drinking water supplied by public water systems; and

“(II) vary the frequency and schedule for monitoring requirements for public water systems based on—

“(aa) the number of people served by a public water system;

“(bb) the source of the water supply; and

“(cc) the contaminants likely to be found in the water supply.”; and

(B) in subparagraph (C), by striking “(i) IN GENERAL” and all that follows through “(ii) GRANTS FOR SMALL SYSTEM COSTS—”; and

(2) in subsection (g), by striking paragraph (7) and inserting the following:

“(7) UNREGULATED CONTAMINANTS.—With respect to contaminants for which a national primary drinking water regulation has not been established, the data base shall include—

“(A) monitoring information collected by public water systems under subsection (a); and

“(B) other reliable and appropriate monitoring information on the occurrence of the contaminants in public water systems that is available to the Administrator.”.

**SA 5005.** Ms. MURKOWSKI (for herself and Mr. SULLIVAN) submitted an amendment intended to be proposed by her to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. . KING COVE.**

(a) FINDING.—Congress finds that the land exchange required under this section (including the designation of the road corridor and the construction of the road along the road corridor) is in the public interest.

(b) DEFINITIONS.—In this section:

(1) FEDERAL LAND.—

(A) IN GENERAL.—The term “Federal land” means the approximately 206 acres of Federal land located within the Refuge as depicted on the map entitled “Project Area Map” and dated September 2012.

(B) INCLUSION.—The term “Federal land” includes the 131 acres of Federal land in the Wilderness, which shall be used for the road corridor along which the road is to be constructed in accordance with subsection (c)(2)(B).

(2) NON-FEDERAL LAND.—The term “non-Federal land” means the approximately 43,093 acres of land owned by the State as depicted on the map entitled “Project Area Map” and dated September 2012.

(3) REFUGE.—The term “Refuge” means the Izembek National Wildlife Refuge in the State.

(4) ROAD CORRIDOR.—The term “road corridor” means the road corridor designated under subsection (c)(2)(A).

(5) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(6) STATE.—The term “State” means the State of Alaska.

(7) WILDERNESS.—The term “Wilderness” means the Izembek Wilderness designated by section 702(6) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 1132 note; Public Law 96-487).

(c) LAND EXCHANGE REQUIRED.—

(1) IN GENERAL.—If the State offers to convey to the Secretary all right, title, and interest of the State in and to the non-Federal land, the Secretary shall convey to the State all right, title, and interest of the United States in and to the Federal land.

(2) USE OF FEDERAL LAND.—The Federal land shall be conveyed to the State for the purposes of—

(A) designating a road corridor through the Refuge; and

(B) constructing a single-lane gravel road along the road corridor subject to the requirements in subsection (e).

(3) VALUATION, APPRAISALS, AND EQUALIZATION.—

(A) IN GENERAL.—The value of the Federal land and the non-Federal land to be exchanged under this subsection—

(i) shall be equal, as determined by appraisals conducted in accordance with subparagraph (B); or

(ii) if not equal, shall be equalized in accordance with subparagraph (C).

(B) APPRAISALS.—

(i) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary and State shall select an appraiser to conduct appraisals of the Federal land and non-Federal land.

(ii) REQUIREMENTS.—The appraisals required under clause (i) shall be conducted in accordance with nationally recognized appraisal standards, including—

(I) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(II) the Uniform Standards of Professional Appraisal Practice.

(C) EQUALIZATION.—

(i) SURPLUS OF FEDERAL LAND.—If the final appraised value of the Federal land exceeds the final appraised value of the non-Federal land to be conveyed under the land exchange under this subsection, the value of the Federal land and non-Federal land shall be equalized—

(I) by conveying additional non-Federal land in the State to the Secretary, subject to the approval of the Secretary;

(II) by the State making a cash payment to the United States; or

(III) by using a combination of the methods described in subclauses (I) and (II).

(ii) SURPLUS OF NON-FEDERAL LAND.—If the final appraised value of the non-Federal land exceeds the final appraised value of the Federal land to be conveyed under the land exchange under this subsection, the value of the Federal land and non-Federal land shall be equalized by the State adjusting the acreage of the non-Federal land to be conveyed.

(iii) AMOUNT OF PAYMENT.—Notwithstanding section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)), the Secretary may accept a payment under clause (i)(II) in excess of 25 percent of the value of the Federal land conveyed.

(4) ADMINISTRATION.—On completion of the exchange of Federal land and non-Federal land under this subsection—

(A) the boundary of the Wilderness shall be modified to exclude the Federal land; and

(B) the non-Federal land shall be—

(i) added to the Wilderness; and

(ii) administered in accordance with—

(I) the Wilderness Act (16 U.S.C. 1131 et seq.); and

(II) other applicable laws.

(5) DEADLINE.—The land exchange under this subsection shall be completed not later than 180 days after the date of enactment of this Act.

(d) ROUTE OF ROAD CORRIDOR.—The route of the road corridor shall follow the southern road alignment as described in the alternative entitled “Alternative 2-Land Exchange and Southern Road Alignment” in the final environmental impact statement entitled “Izembek National Wildlife Refuge Land Exchange/Road Corridor Final Environmental Impact Statement” and dated February 5, 2013.

(e) REQUIREMENTS RELATING TO ROAD.—The requirements relating to usage, barrier cables, and dimensions and the limitation on support facilities under subsections (a) and

(b) of section 6403 of the Omnibus Public Land Management Act of 2009 (Public Law 111-11; 123 Stat. 1180) shall apply to the road constructed in the road corridor.

(f) EFFECT.—The exchange of Federal land and non-Federal land and the road to be constructed under this section shall not constitute a major Federal action for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

**SA 5006.** Mr. WARNER submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:  
**SEC. 8 . GUIDELINES FOR SPECIFICATION OF CERTAIN DISPOSAL SITES.**

Section 404(b) of the Federal Water Pollution Control Act (33 U.S.C. 1344(b)) is amended—

(1) by striking “(b) Subject to subsection (c) of this section” and inserting the following:

“(b) SPECIFICATION FOR DISPOSAL SITES.—

“(1) IN GENERAL.—Subject to subsection (c)”;

(2) by striking “the Secretary (1) through” and inserting the following: “the Secretary—“(A) through”;

(3) by striking “section 403(c), and (2) in any case where such guidelines under clause (1) alone” and inserting the following: “section 403(c); and

“(B) in any case in which guidelines under subparagraph (A) alone”; and

(4) by adding at the end the following:

“(2) LIMITATION.—Guidelines under paragraph (1) may not prohibit the specification of a site due to the lack of a final site plan resulting from the lack of an identified end user or industry or industrial classification for the site when determining whether there is a practicable alternative to a proposed discharge that would result in less adverse impact on the aquatic ecosystem.”.

**SA 5007.** Mr. MCCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 4979 proposed by Mr. INHOFE to the bill S. 2848, to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:  
**SEC. 80 . SALT CEDAR REMOVAL PERMIT REVIEWS.**

(a) IN GENERAL.—Except as provided in subsection (b), any action by the Secretary relating to reviewing an application for a permit under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) or section 10 of the Act of March 3, 1899 (commonly known as the “Rivers and Harbors Appropriation Act of 1899”) (33 U.S.C. 403), and any action by the Director of the United States Fish and Wildlife Service (referred to in this section as the “Director”) pursuant to section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536), relating to the mechanized removal of salt cedar from

an area that consists of not more than 500 acres shall be completed by the Secretary or the Director, as applicable, by not later than 90 days after the date of receipt of the application.

(b) EXCEPTION.—The Secretary may provide to an office conducting a review described in subsection (a) an extension of not longer than an additional 90 days to complete the review, if the Secretary determines that such an extension is warranted.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON FOREIGN RELATIONS

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on September 8, 2016, at 10 a.m., to conduct a hearing entitled "Pakistan: Challenges for U.S. Interests."

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

##### COMMITTEE ON THE JUDICIARY

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on September 8, 2016, following the first vote of the Senate, in S-216 of the Capitol.

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

##### SELECT COMMITTEE ON INTELLIGENCE

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on September 8, 2016, at 2 p.m., in room SH-219 of the Hart Senate Office Building.

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

##### SUBCOMMITTEE ON REGULATORY AFFAIRS AND FEDERAL MANAGEMENT

Mr. PORTMAN. Mr. President, I ask unanimous consent that the Subcommittee on Regulatory Affairs and Federal Management of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on September 8, 2016, at 10 a.m. in order to conduct a hearing entitled, "Reviewing Independent Agency Rulemaking."

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

#### MASTER CHIEF PETTY OFFICER JESSE DEAN VA CLINIC

Mr. BOOZMAN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of H.R. 3969 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3969) to designate the Department of Veterans Affairs community-based outpatient clinic in Laughlin, Nevada, as the "Master Chief Petty Officer Jesse Dean VA Clinic."

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

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

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

The bill (H.R. 3969) was ordered to a third reading, was read the third time, and passed.

#### EXPRESSING A COMMITMENT BY THE SENATE TO NEVER FORGET THE SERVICE OF AVIATION'S FIRST RESPONDERS

Mr. BOOZMAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 549, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 549) expressing a commitment by the Senate to never forget the service of aviation's first responders.

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

Mr. BOOZMAN. Mr. President, I further 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. 549) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### RECOGNIZING THE 40TH ANNIVERSARY OF WOMEN AT THE UNITED STATES NAVAL ACADEMY WEEK

Mr. BOOZMAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 550, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 550) designating the week of September 5 through September 9, 2016, as "Recognizing the 40th Anniversary of Women at the United States Naval Academy Week."

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

Ms. MIKULSKI. Mr. President, I rise today having submitted a resolution honoring the 40th anniversary of women attending the U.S. Naval Academy in Annapolis, MD. Forty years ago, in 1975, Congress proudly authorized women to attend military service

academies. That act of Congress, created a milestone in our military history, setting the national stage for women's equality.

On July 6, 1976, the very first class of women entered the U.S. Naval Academy. Four years later, the graduating class of 1980, commissioned 55 women. Since then, more than 4,800 women, including this year's graduating class of 2016, have graduated from the U.S. Naval Academy and have transcended traditional military roles for women.

Women have had to fight every single day and in every single way to be able to advance ourselves. Today, women make up 27 percent of the U.S. Naval Academy's student body, the highest in the school's history. This year, midshipmen were admitted from every state in the U.S., as well as the District of Columbia, Guam, Puerto Rico, and the U.S. Virgin Islands. The Naval Academy continues to evolve, depicting our Nation's diversity, and promoting equality.

Our country is stronger today because women have advanced in the military. There are 2.2 million women serving in our military, serving with their male counterparts in leadership capacities that now include combat occupations. These strong, powerful, and intelligent women have unselfishly chosen to serve their country in a time when our Nation's military is needed the most, and they have done so with passion, heroism and integrity.

The U.S. Naval Academy was founded in 1845. A school that began with merely 50 midshipman students and 7 professors now fosters a graduating class of 1,076 commissioned officers. A school rich with tradition, the Academy offers 43 different majors within 19 fields of study. The U.S. Naval Academy offers a premier education and continues to bolster some of the finest and most hardworking patrons of our society. But that society would not be complete without our women service members. When women succeed in the workplace, our economy succeeds, and our country is stronger for it.

The U.S. Naval Academy has groomed trailblazers, women who have commanded in combat, women who have set standards for success, and women who have paved the way for our daughters and granddaughters. I wish to honor just a few of those trailblazers, as we recount the importance of this 40-year revolution.

In 1995, CDR Wendy Lawrence, class of 1981, became the first Navy woman in space aboard space shuttle Endeavour.

In 2006, RADM Margaret D. Klein, class of 1981, became the first woman commandant at the U.S. Naval Academy. Later she served as the Chief of Staff for U.S. Cyber Command, pioneering in the cyber field.

In 2011, Marine Brig. Gen. Lori Reynolds, class of 1986, was the first woman to command the Marine Corps Recruiting Depot in Parris Island.

Of course, we can't celebrate the U.S. Naval Academy without celebrating

the accomplishments of ADM Michelle J. Howard, class of 1982; who was the first African-American woman to command a Navy ship. In 2014, Admiral Howard became the first woman to become a four-star admiral, and was then appointed the Vice Chief of Naval Operations; becoming the first African-American and the first woman to hold that position.

This list of accomplishments from our U.S. Naval Academy women graduates goes on. It is the reason I have introduced this resolution. We must ensure the legacy of this institution and the accomplishments of these amazing women are recognized and celebrated.

Last May, the U.S. Naval Academy commissioned 265 women officers. These women, like their predecessors, will go on to serve in some of the most demanding assignments in the Navy, the Marine Corps, and even inter-service agencies such as the U.S. Coast Guard. They will continue to break new ground and become firsts in their fields.

It is because of our Nation's heroes we are able to stand here today, but the service of women in the military is a milestone we must honor. These women have proven equality matters. These women have proven that they can achieve anything. These women have made many sacrifices to make our country safe.

We must continue to promote equality and encourage women to strive for success in order to guarantee future parity. In today's increasingly uncertain world, women serving in military leadership roles, are more important than ever before. Women service members are a necessity—they are dynamic, resilient leaders who inspire millions to make the world a better place. I am proud to promote and recognize such strength.

As the Navy proudly proclaims, "Through Knowledge, Sea Power." As dean of the Women Senators, I am here to proudly proclaim, through women's equality, we gain knowledge and create power that is unstoppable. As a society, we must continue to promote and recognize our Nation's heroines and their outstanding efforts for future generations.

Mr. BOOZMAN. Mr. President, I further 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. 550) 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, SEPTEMBER 12, 2016

Mr. BOOZMAN. Mr. President, I ask unanimous consent that when the Sen-

ate completes its business today, it adjourn until 3 p.m., Monday, September 12; 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 resume consideration of S. 2848; finally, that notwithstanding the provisions of rule XXII, the Senate vote on the motion to invoke cloture on the Inhofe-Boxer substitute amendment, No. 4979, at 5:30 p.m. on Monday.

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

#### ADJOURNMENT UNTIL MONDAY, SEPTEMBER 12, 2016, AT 3 P.M.

Mr. BOOZMAN. 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 5:09 p.m., adjourned until Monday, September 12, 2016, at 3 p.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### 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 general*

GEN. JOHN E. HYTEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

*To be major*

PAUL K. CLARK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 624 AND 1552:

*To be colonel*

ENRIQUE J. GWIN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

*To be lieutenant colonel*

ANTHONY S. ROBBINS

##### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS PERMANENT PROFESSOR AT THE UNITED STATES MILITARY ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 4333(B) AND 4336(A):

*To be colonel*

GAIL E. S. YOSHITANI

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 major*

VEDNER BELLOT

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 major*

GRAHAM F. INMAN

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 major*

ALEXANDER M. WILLARD

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*

RICHARD A. DORCHAK, JR.

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

*To be major*

ARISTIDIS KATERELOS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be colonel*

SCOTT C. MORAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be major*

MONA M. MCFADDEN

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be colonel*

NICOLE N. CLARK  
MARION R. COLLINS  
RONALD A. CUPPLES  
DAVID C. FEELEY  
ANNETTE R. GRANDPRE  
CHRISTINE L. HOFFMANN  
NICK JOHNSON  
THOMAS H. MANCINO  
SHANE M. MARTIN  
DOUGLAS L. SIMON  
SUSAN R. SINGALEWITCH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be major*

CLAYTON T. HERRIFORD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY AS CHAPLAINS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be colonel*

JAMES R. BOULWARE  
ADDISON BURGESS  
MITCHELL A. BUTTERWORTH  
LOUIS A. DELTUFO  
DAVID J. DEPPMEIER  
RICHARD D. GARVEY  
JAMES R. GRIFFIN  
ROBERT H. HART, JR.  
MILTON JOHNSON  
CHUL W. KIM  
DAVID W. LILE  
KAREN L. MEEKER  
ROY M. MYERS  
DANIEL S. OH  
JULIE M. ROWAN  
JACK J. STUMME  
DAVID E. WAKE  
MATTHEW S. WYSOCKI

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 E. FOSTER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

*To be major*

JUSTIN J. ORTON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS PERMANENT PROFESSOR AT THE UNITED STATES MILITARY ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 4333(B) AND 4336(A):

*To be colonel*

TINA R. HARTLEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

MELAINE A. WILLIAMS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

ANTHONY T. SAMPSON

##### IN THE NAVY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

WILLIAM J. KAISER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

NICOLE A. AGUIRRE  
 TRAVIS C. ALLEMANG  
 JOSEPH AN  
 SARAH ANDERSON  
 CHAD T. ANDICOCHEA  
 JACOB T. ANKENY  
 STEPHEN S. AUSTAD  
 ANDREA L. AUSTIN  
 DEREK A. AUSTIN  
 THOMAS J. AVALLONE  
 JOSHUA C. BARNHILL  
 THOMAS S. BARROS II  
 ROBERT J. BEERS  
 PASHA L. BENTLEY  
 MICHAEL J. BERGE  
 JENNIFER E. BERGSTROM  
 MATTHEW S. BERNIARD  
 ANDREW J. BIGGS  
 JESSICA A. BLUHM  
 DAVID R. BOLTHOUSE  
 DANIEL E. BRADLEY  
 STEPHANIE M. BRADSHAW  
 BENJAMIN J. BRIGGS  
 MATTHEW R. BROCK  
 TIMOTHY R. BROOKS  
 KELLY L. BROWN  
 ADAM K. BRUST  
 ANDREW C. BUCHHOLZ  
 SARAH E. L. BUMPS  
 JACQUELYN M. BURNETT  
 KENDRA R. CAGNIART  
 PIERRETTIENNE C. CAGNIART  
 SVETLANA CARAGHEAUR  
 MATTHEW D. CARPINELLO  
 HILLARY A. CHACE  
 ANDRE L. CHARTIER  
 JULIA H. CHERINGAL  
 COLEEN L. COLAHAN  
 JASON J. CONDINO  
 AARON C. CONWAY  
 JASON R. CROAD  
 ANTHONY M. CRUZ  
 CAITLIN O. CRUZ  
 MARK M. CRUZ  
 ANDREW J. DELLEDONNE  
 JOHN A. DERENNE  
 KATRINA L. DESTREE  
 BENJAMIN A. DREW  
 STEPHEN A. DUMONTIER  
 THOMAS A. EDWARDS  
 TAYLER B. ELDRIDGE  
 ROBERT P. ELIAS  
 MICHAEL J. ELIASON  
 THOMAS R. EVANS  
 MICHAEL C. FANGEROV  
 GREGORY R. FAULKNER  
 RYAN K. FAWLEY  
 MATTHEW T. FEELEY  
 JEFFREY P. FENNELLY  
 CHRISTOPHER W. FERGUSON  
 JASON F. FISHER  
 DANIEL J. GALKA  
 KIA M. GALLAGHER  
 CHIRAG N. GANGAHR  
 MICHELLE T. GANYO  
 DANIEL S. GARVIN  
 BETHANY J. GOD  
 JOAN M. GONZALEZ  
 MICA D. GRANTHAM  
 IAN A. GRASSO  
 MARGARET C. GREEN  
 JONATHAN E. S. GRUBER  
 ROBERT J. GRZYBOWSKI  
 JUAN D. GUERRA  
 MATTHEW L. HALDEMAN  
 GREGORY W. HALL  
 MATTHEW G. HANLEY  
 FRANCIS J. HARTGE IV  
 RUSTON L. HESS  
 ADRIENNE S. HIGHT  
 MICHAEL H. HIGHT  
 CHARLES J. HORN  
 ALEXANDER HRAY III  
 JENNIFER L. HUNT  
 JOHN E. JACKSON  
 SUZANNE M. H. JENKINS  
 FREDERIC C. JEWETT III  
 MARC J. KAJUT  
 SEAN S. KIM  
 CHASE A. KISSLING  
 LAURA S. KLEIN  
 ANDREW S. KNECHT  
 PETER F. KNICKERBOCKER  
 STEPHEN A. KOEPLIN  
 ADRIAN B. KORDUBA  
 ERICA J. KRELLER  
 JANELLE R. KRINGEL  
 JULIAN S. KU  
 COLLEEN F. LAIL  
 JOHN K. LAMBRIK  
 KATRINA N. LANDA  
 GRACE D. LANDERS  
 ALISON B. LANE  
 JONATHAN T. LAU  
 JOSHUA R. LEBENSON  
 NANCY A. LENTZ  
 DANA R. LILLI  
 DIANA R. LINDSEY  
 SAMUEL F. LIVINGSTON  
 ROBERT J. LONG  
 STARLA N. LYLES

JESSE H. LYNN  
 KRISTINE E. LYONS  
 HARRY T. MADHANAGOPAL  
 KRISTIN N. MANSON  
 GEORGIA L. MARSH  
 JOSEPH S. MARTIN  
 ADAM D. MARUSZEWSKI  
 HORACE G. MATTHEWS  
 KATIE M. MCAULIFFE  
 CASEY E. MCCANN  
 BRENT J. MCDANIEL  
 SEAN C. MCINTIRE  
 RUTH E. MCLAUGHLIN  
 STEPHEN M. MCMULLAN  
 STEPHANIE P. MEYER  
 WILLIAM E. MICHAEL  
 JUSTIN G. MILLER  
 MICHAEL J. MILLER  
 ERICA N. MINGO  
 ADRIAN J. MORA  
 JOHN W. MORRISON, JR.  
 PATRICK B. MORRISSEY  
 SHEILA MULLIGAN  
 KELLI R. MURPHY  
 PRITI V. NATH  
 MATTHEW D. NEALEIGH  
 KARI A. NEAMANDCHENEY  
 VU Q. NGHIEM  
 KIM T. NGUYEN  
 YUMMY NGUYEN  
 NATHAN M. OEHRELEIN  
 THOMAS F. OLSON  
 EJIROGHENE ONOS  
 CLAUDIO A. OSORIO  
 AMY A. OSTROPE  
 ADAM N. OVERBEY  
 KAITLIN D. PALA  
 BRIAN B. PARK  
 BRIAN Y. PARK  
 HYUN J. PARK  
 JENNIFER L. PARK  
 JOSEPHINE A. PEARSON  
 KELLY C. PENG  
 RICHARD A. PIERSON  
 DOUGLAS M. POKORNY  
 WILLIAM B. POKORNY  
 CATHERINE A. POPADIAK  
 MANDY M. POTTER  
 BRITTANY E. POWELL  
 WILLIAM M. PULLEN  
 CHRISTINE M. PUTHAWALA  
 MICHAEL J. RACS  
 VICTOR A. RAMOS  
 JEFFERREY M. RAUNIG  
 CLIFFORD J. RAYMOND  
 MATTHEW C. RE  
 MATTHEW J. RICHTER  
 BRENDAN J. RINGHOUSE  
 SHAYNA C. RIVARD  
 MELANIE E. ROBERSON  
 JOHN S. ROBERTS  
 CARRIE L. ROBINSON  
 CHRISTOPHER M. ROCK  
 AMY E. ROGERS  
 ANTHONY M. ROMERO  
 BENJAMIN J. ROPER  
 ANNA L. RUTHERFORD  
 RAUBBY C. SABALERIO  
 ALANA B. SABBENE  
 STEVEN W. SATTO  
 GORDON P. SALGADO  
 JORGE SALGADO  
 JOSEPH N. SARUBBI  
 PATRICK L. SCARBOROUGH  
 ERIC C. SCHMIDGAL  
 RYAN J. SCHUTT  
 ANGELA L. SENESE  
 MATTHEW S. SERAFINE  
 CHARLES I. SIMERMAN  
 BRIGID H. SIMMONS  
 PATRICK C. SIMPSON III  
 ANUMEHA SINGH  
 EVAN P. SLEIPNESS  
 HEATHER S. SLUSSER  
 EUGENE R. SMITH III  
 MARGO Z. SMITH  
 MATTHEW E. SMITH  
 CHRISTOPHER L. SNITCHLER  
 HEATHER M. SOLORIA  
 KIMBERLY M. SPAHN  
 SHELBY R. SPANGL  
 ALISON P. SPANJOL  
 JOSEPH W. SPELLMAN  
 CASANDRA M. SPREEN  
 CARL E. STARR  
 JENA L. SWINGLE  
 TESHOMAS M. TAFES  
 NICHOLAS A. TAMORIA  
 BRIAN E. TAYLOR  
 ALEXANDER S. TEEFFEY  
 PATRICK M. THOMAS  
 JENNIFER L. THOMPSON  
 KIMBERLY A. THOMPSON  
 MATTHEW M. THOMPSON  
 KATHLEEN T. TILMAN  
 TIMOTHY D. TODD  
 DUJ P. TRAN  
 GABRIEL S. VALERIO  
 TIMOTHY M. VEAL  
 BRANDON R. VIER  
 ADAM D. VOELCKERS  
 AUDREY C. VOSS  
 KATHERINE N. VU  
 SEAN M. S. WADE  
 MERCY D. WAGNER  
 ANDREW L. WARD  
 BRIAN P. WEIMERSKIRCH

JASON J. WEINER  
 ALLISON G. WESSNER  
 MATTHEW J. WESSNER  
 ANDREW H. WESTMORELAND  
 STEVEN A. WHELPLEY  
 NATHAN R. WHITLOW  
 JESSICA R. WINTERS  
 AMELIA L. WRIGHT  
 KEVIN T. WRIGHT  
 KURT C. WUKITSCH  
 PHILIP M. YAM  
 JOSEPH M. YETTO  
 TATYANA O. YETTO  
 CELESTE D. YOUNG  
 RYAN M. ZALESKI  
 KRIS E. ZAPORTEZA  
 AMETHYST K. ZIMMERMAN  
 AMY F. ZUCHARO

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

ALICE A. T. ALCORN  
 ERIK D. ANDERSON  
 KARIMA AYESH  
 ERIN S. BAILEY  
 BRYAN J. BEHM  
 BRADLEY A. BENNETT  
 NICHOLAS A. BENNETT  
 SPENCER W. BJARNASON  
 DAVID G. BURKE  
 CAMRON S. BUTTARS  
 JOSEPH R. BYRAM  
 ADAM J. CATZ  
 JOHN A. CHAMBERLAIN  
 KAI C. J. CHANG  
 JERRY CHENG  
 SARAH H. CHILDS  
 KELVIN Z. C. CHOU  
 JOSEPH R. COOK  
 JOSEPH E. DEHMER  
 RACHEL V. DULEBOHN  
 DANIEL J. FISHER  
 MICHAEL P. FITZGERALD  
 ERIC H. FREDERIKSEN  
 BRANDON L. GEDDES  
 GREGORY M. GITTLEMAN  
 LINDSAY A. GODFREY  
 JOSEPH GRANT III  
 UJVAL R. GUMMI  
 PETER J. HAM  
 FARID HAMIDZADEH  
 DANIEL A. HAMMER  
 MARINA HERNANDEZFELDPAUSCH  
 SEAN B. HERSHBERGER  
 MARKUS S. HILL  
 CYNTHIA R. HOLLIDAY  
 RYAN K. HUKILL  
 ELISE V. HURRELL  
 JOSEPH M. JARMAN  
 MELISSA M. JOY  
 GABRIELLE K. JUNG  
 DAVID J. KOSEK  
 CATHERINE L. KUBERA  
 BRITTANY L. KURZWEG  
 TAYLOR M. LANDON  
 MICHAEL H. LEE  
 MICHAEL J. LEWIS  
 CHRISTINA L. LILLI  
 ELLA T. A. K. LIM  
 ALICE C. L. MA  
 JAREN T. MAY  
 REBECCA S. MCGUIRE  
 STEPHANIE N. MORA  
 JAMES S. MORRIS, JR.  
 DAVID L. NELSON  
 KYLE T. NELSON  
 BRANDI B. NOORDMANS  
 JASON M. NOTARIO  
 ERIC W. OLENDORF  
 ELIZABETH G. PADILLA  
 DONALD G. PRITCHETT, JR.  
 RYAN J. PRYOR  
 STEVEN G. RABENSTEIN  
 HILLARY C. REEVES  
 AMANDA L. RICE  
 MATTHEW A. ROUSE  
 DAVID L. SANDBERG  
 ABIGAIL L. SCHMIDT  
 ADAM E. SCHMIDT  
 LINDSEY G. SHOWERS  
 JEREMIAH J. SPARKS  
 ALEXANDER TARASOV  
 ARTHUR S. VALERI  
 WILLIAM S. WALKER III  
 GEOFFREY L. WARD  
 WESLEY D. WEIBEL  
 BEECHER C. WHITEAKER III  
 NATHANIEL D. WILLIAMS  
 KEVIN C. WIMAN  
 DAVID S. YI  
 STACY L. YU  
 MALKA ZIPPERSTEIN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

JULIE M. C. ANDERSON  
 BRIAN C. ANDREWSSHIGAKI  
 ELIZABETH R. ANGELO  
 THOMAS S. ANNABEL  
 MICHAEL C. AVANTS  
 JOHN L. BALSAMO

RENARDIS D. BANKS  
 BENJAMIN J. BARRUS  
 MICHAEL B. BAUN  
 CHRISTINE S. BRADY  
 BYRON M. BREEDING  
 KEVIN M. BRIGHTON  
 DAVID L. BRODERICK  
 ALEXANDER P. BULAN  
 GRETCHEN S. BURNS  
 WILLIAM J. BURRELL  
 QINGYUAN CAO  
 AUDREY J. CARTER  
 HUNTER R. COATES  
 CARLOS M. COLEMAN  
 BRENT D. COLLINS  
 JORGE L. CONCEPCION  
 COLLEEN I. CORDRICK  
 FRANCISCO A. CORNEJO  
 JILL S. CUNNINGHAM  
 TAMMY L. DALESANDRO  
 JONATHAN R. DAVIS  
 LEONARDA M. DEGUZMAN  
 JOSEPH W. DICLARO II  
 PHILLIP S. DOBBS  
 KATHERINE V. DOZIER  
 KIMBERLY A. EDGEL  
 ANTHONY M. EISENHARDT  
 DAVID B. ENGLAND II  
 ANALIZA M. ENRIQUEZ  
 LUIS A. ESTRELLA  
 ELIZABETH D. FARRAR  
 FELIPE P. FINLEY  
 JOSEPH C. FISCUS  
 SARAH E. FLETCHER  
 JEREMIAH D. FORD  
 SETH L. GARCIA  
 AMANDA A. GARDNER  
 KRYSYAL S. GLAZE  
 LINDSAY H. GLEASON  
 KEVIN A. GOODELL  
 KRISTEN D. GROSS  
 MATTHEW D. GRYP  
 ZACHARY W. HARE  
 WILLIAM F. HAYES, JR.  
 RICK W. HECKERT  
 JEFFREY C. HERTZ  
 SUSAN A. HINEGARDNER  
 TONY H. HUGHES  
 ANN M. HUMMEL  
 ANDREW J. HUNTER  
 KYLEIGH B. HUPFL  
 ERIC J. INFANTE  
 VINCENT P. JONES  
 JOSEPH K. KALEIOHI  
 MICHAEL D. KAVANAUGH  
 MICAH J. KINNEY  
 SANDEEP KUMAR  
 RACHEL E. LANTIERI  
 THUY D. T. LE  
 LAURA A. J. LETCHWORTH  
 AMANDA F. LIPPERT  
 MELISSA M. LIWANAG  
 WILFREDO L. LUCAS, JR.  
 ENKELEIDA MABRY  
 JOHN W. MAHONEY III  
 RYAN P. MAID  
 DANIEL N. MANNIS  
 CRYSTAL C. MASSEY  
 KARL M. MATLAGE  
 ALISTAIR S. MCLEAN  
 RODERICK S. MEDINA  
 JUSTIN W. MEEKER  
 LYNDSY M. MEYER  
 JACQUELINE L. MILLER  
 JEREMY K. MILLER  
 REBECCA M. L. MIRANDA  
 LEAH D. MOSS  
 ANGELA M. MYERS  
 MARY L. NEAL  
 JOSEPH W. NEIL  
 JAMES A. NEIPP  
 JOHN O. OCHIENG  
 JOHN R. OLIVA  
 NINA A. PADDOCK  
 CHRISTOPHER L. PAULETT  
 GIAO B. PHUNG  
 JOHN J. PICCONE  
 AILEEN M. PLETTA  
 JOSE A. PULIDO  
 EVA K. REED  
 MARK A. RIEBEL  
 REBECCA L. ROOT  
 HEATHER L. ROSATI  
 ROBERT A. RUSSELL  
 VAHE L. SARKISSIAN  
 JESSE J. SCHMIDT  
 LEE W. SCIARINI  
 GARY L. SEARS  
 BRENDA L. SHARPE  
 ADAM J. SHARRITS  
 RYAN L. SHEPPARD  
 MATTHEW R. SHIPMAN  
 TARA M. SMALLIDGE  
 RYAN W. SMITH  
 GEORGE T. STEGEMAN, JR.  
 ROBERT C. SUMMERS  
 JOSHUA M. SWIFT  
 BRENT A. SZYCHULDA  
 BLAKE V. TOWNS  
 MARION G. VANZIE  
 DAWN B. WALKER  
 CHRISTOPHER WASHINGTON  
 BRADLEY S. WELLS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

BENJAMIN D. ADAMS  
 ADRIENNE M. BALDONI  
 LAURA R. BATEMAN  
 KEVIN R. BRANDWEIN  
 SHAWN W. BRENNAN  
 DANIEL M. BRIDGES  
 STEPHEN W. BUCKLEY  
 AUBREY D. CHARPENTIER  
 STEPHANIE L. CIRONE  
 ANDREW M. COFFIN  
 MARGARET V. COLE  
 BRIAN D. CORCORAN  
 MATTHEW C. COX  
 ARI E. CRAIG  
 THOMAS L. EATON  
 SCOTT W. FISHER  
 JESSICA L. FORD  
 JARROD R. FRANKS  
 GEOFFREY T. GILLESPIE  
 CHARLES C. GOUGH  
 EDWARD T. GRIFFIS, JR.  
 LEIGHA B. F. GROVES  
 CANDACE M. HOLMES  
 ALEXANDER G. HOMME  
 LAUREN E. HUGEL  
 CHRISTOPHER H. HUTTTON  
 ADAM E. INCH  
 MEGAN R. JACKLER  
 MATTHEW J. KADLEC  
 JENNIFER L. LUCE  
 JEFFREY S. MARDEN  
 LAUREN A. S. MAYO  
 ANDREW J. MOORE  
 PAUL B. MORRIS  
 SARA P. NEUGROSCHER  
 KATHRYN A. PARADIS  
 ADAM G. PARTTRIDGE  
 MICHAEL T. PIERCE, JR.  
 THERESA D. POINDEXTER  
 PHILIP W. ROHLFING  
 CHARLES M. ROMAN  
 DENISE L. ROMEO  
 BRANDON H. SARGENT  
 JOHN A. SCHAFFER  
 KEVEN P. SCHREIBER  
 KIMI K. SCHULTHEISS  
 ANTHONY P. SHAM  
 NICOLE T. STARING  
 TIA R. SUPLIZIO  
 JAMES C. SYLVAN  
 JON T. TAYLOR  
 MATTHEW P. THRASHER  
 MICHAEL F. WHITICAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

STEPHEN K. APFUL  
 BETSY L. ALBERS  
 NGUYEN N. ALLEBAUGH  
 JUSTIN E. ALLEN  
 RACHEL D. ALLNUTT  
 CANDY S. ANDERSON  
 DAVID A. ANTICO  
 AMY E. APARICIO  
 JOURDAN K. ASKINS  
 KRISTIN S. AUCKER  
 JONATHAN M. AUKEMAN  
 ROBERT B. BAILEY  
 ERIC S. BANKER  
 AMY E. BARENDSE  
 KATHRYN A. BARGER  
 JOHN B. BENEFIELD III  
 TRACI L. BENSON  
 RACHEL A. BRADSHAW  
 JASON L. BROUGH  
 JERRY J. BROWN  
 TERRY J. BROWN  
 TRACI E. BURRELL  
 JOHANNA M. CARLSON  
 ROGER G. CASON  
 CHERYL Q. CASTRO  
 CHANTEL D. CHAIRAIS  
 KRYSYAL M. CHUNACO  
 SHARON A. CROWDER  
 LESLIE A. DALEY  
 JESSICA E. DALRYMPLE  
 ALAWAH C. DAVIS  
 ADA C. DEE  
 WILBERT C. DIXON III  
 BRIAN C. DUENAS  
 ERIC E. DUNBAR  
 PHYLLIS J. A. DYKES  
 DANNY J. EASON, JR.  
 ALESHA K. EGTS  
 APRIL L. EHRHARDT  
 NICHOLAS W. EIGHMY  
 DARCEY L. R. ENDICOTT  
 YVES H. EYIKE  
 COREY M. FANCHER  
 SARAH E. FARIS  
 JESSICA M. FERRARO  
 TRAVIS J. FITZPATRICK  
 JEAN A. FORTUNATO  
 ROBERT H. FOWLER III  
 CLEMENT FRANCIS  
 JENNIFER T. FRANCIS  
 KEITH J. FREEMAN  
 JOHN D. GARDNER  
 LEEYANNA M. GERBICH  
 CARLA J. GRAHAM  
 STACIE B. GROVES  
 JONATHAN D. HAMRICK

LANAE Z. HARRISON  
 CHRISTOPHER L. HARVIE  
 ANGELA R. HEALY  
 NANCY G. HELFRICH  
 KIMBERLEY L. HENDRICKS  
 SERINA A. HERNANDEZ  
 ANTHONY S. HOFER  
 JUANITA T. HOPKINS  
 MICHAEL J. HOWARD  
 JASMYNE C. IRIZARRY  
 SARAH A. JAGGER  
 SAMANTHA J. JENNINGS  
 ANDY L. KELLER  
 JENIQUE B. KEYS  
 JAMES W. KILPATRICK  
 CHARLES J. KINARD  
 MARY E. KING  
 ROBERT M. LEAHY  
 JENNIFER H. LORAN  
 YVONNE M. MARENCO  
 SCOTT E. MCCURE  
 LEAH U. MCCOY  
 LINDSAY K. MCQUADE  
 DANIL R. MENDOZA, JR.  
 MEGAN K. MOODY  
 JOSHUA J. MORGAN  
 AMANDA P. MUNRO  
 ERICA H. NICOLETTI  
 FARZAN NOBBEE  
 STEFANIE A. NOCHISAKI  
 OTIS OSEI  
 RHYS A. PARKER  
 ALLEN K. PAYNE  
 ERICA L. PHILLIPS  
 COURTNEY V. POWELL  
 NIKKI L. PRITCHARD  
 RENEE M. QUEZADA  
 TY M. QUINN  
 JERICHO H. RAMIREZ  
 BARBARA M. REMEDIOS  
 MARY K. REYNA  
 BRANDON A. RUDY  
 EDWARD L. S. RUNYON  
 SARAH D. RUSHNOV  
 BRETT A. SALAZAR  
 KAREN J. SANCHEZ  
 CRYSTAL M. M. SARACENI  
 BRANDON J. SARTAIN  
 ERIKA D. SCHILLING  
 LESLIE R. SCHNEIDER  
 NATHANIEL J. SCHWARTZ  
 RACHEL L. SEHNERT  
 JUAN D. SERRATO  
 MELISSA A. SLACK  
 JUDITH SMART  
 LATARYA D. SMITH  
 DONELLE J. SPIVEY  
 ANGELA G. SPRULL  
 JENNIFER D. SQUAZZA  
 STEVEN A. STARR  
 DOMINICK B. STELLY  
 KIMBERLY A. STEVENS  
 MICHAEL A. STEVENS  
 KRISTIN P. STONIECKI  
 LOUIS D. STREB  
 KASSY L. STRICKLAND  
 CHRISTOPHER O. SUTHERLAND  
 STACEY A. SWINDELLS  
 ADAM M. TAYLOR  
 KOA J. THOMAS  
 ANDREW B. TINGUE  
 MARYPAT A. TOBOLA  
 JOEL P. TRAUSCH  
 MEREDITH K. TVERDOSI  
 DAVID T. UHLMAN  
 NATESHA A. VAILLANCOURT  
 SUSAN R. VIDAUURRE  
 CLAIRE M. VIDRINE  
 STEPHANIE E. WALLACE  
 CRAIG A. WILKINS  
 MELINDA S. WILLIAMS  
 MICHAEL C. WILLIAMS, JR.  
 VANITA J. WILLIAMS  
 BRIAN C. WILSON  
 PETER J. WOODS  
 CAITLIN M. WORKMAN  
 JOSHUA A. WYMER  
 BRITTANY L. YANG  
 ALESSANDRA E. ZIEGLER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

SCOTT E. ADAMS  
 PATRICK D. AMUNDSON  
 LAURA A. ANDERSON  
 ANJA D. ANLIKER  
 ZACHARY J. ARMSTRONG  
 CARNELL P. AURELIO  
 JATAN BASTOLA  
 JOHN R. BING  
 STEPHEN T. BLONSKI  
 BERT R. BRATTON, JR.  
 ANDREA K. BUCK  
 ANTHONY M. CASTLEBERRY  
 JENNIFER L. CHARLTON  
 LISA CHEN  
 PHILIP F. CLARK, JR.  
 KATHRYN M. DAMORE  
 MICHAEL P. DAUSEN  
 ELDRIDGE L. DAVIS  
 JAMMIE L. DOWNER  
 BRADFORD L. EDENFIELD  
 JEFFREY J. BOM  
 GARRY K. FERGUSON

ANDREW W. FOURSHA  
 PAUL D. FUERY  
 JOSE A. GALVAO  
 JARED A. GIBSON  
 CASEY J. GILLETTE  
 RAYFIELD N. GOLDEN  
 JASON E. HARNISH  
 DAVID W. HILL  
 TIMOTHY M. HILL  
 ADAM G. HILLIARD  
 WESLEY P. HITT  
 EUGENE K. J. HO  
 THOMAS D. HOUSE  
 FRANKLIN J. JENSEN, JR.  
 KYLE A. JOHNSON  
 JAMES W. JONES  
 PAUL J. KLOEPPING  
 ANDREW J. KRANTZ  
 JOSHUA L. G. LANGHORNE  
 CHRISTOPHER M. LEBEL  
 JOSHUA D. LONGWORTH  
 MATTHEW M. LORGE  
 DANIEL MALDONADO III  
 STEPHEN J. MANNILA  
 CHRISTOPHER M. MASON  
 RUDY MASON  
 CHARLES E. MCCANDLESS  
 JAY T. MCFARLAND  
 JOHN W. G. MCNEIL  
 DAVID A. MEDICI  
 TRAVIS M. MILLER  
 WILLIAM E. MORRISON  
 EDUARDO A. NICHOLLSARVAJAL  
 EDWARD P. NIXON  
 DAVID F. ODOM  
 JOHN P. O'DONNELL  
 JONATHAN P. PAGNUCCO  
 BRANDON W. PALMER  
 CARLISLE C. PENNYCOOKE  
 SHANNON E. PERCIVAL  
 JESSE P. PETTY  
 JEFFREY M. PHILLIPS  
 JASON L. REVITZER  
 JONATHAN R. RICHMOND  
 PETER RIESTER  
 STEPHEN C. RYAN  
 ALBERTO H. SABOGAL  
 WILLIAM E. SHIELDS  
 MARY E. B. SLY  
 JOSEPH A. SMUTZ  
 AMPHAY SOUKSAVATDY  
 JAMIE J. STEPFENSMEIER  
 EDWIN J. STEVENS  
 DAVID J. STONECIPHER  
 TYHEEM SWEAT  
 AARON T. THORNTON  
 BENJAMIN D. THORNTON  
 MICHAEL S. TUDDENHAM  
 GILBERT P. UY  
 REMUIS D. WALLS  
 XIAO Y. WANG  
 DWANN E. WASHINGTON  
 ANTHONIO R. WEATHERSPOON  
 CHARMARINE R. YAP

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

RAYMOND B. ADKINS  
 MICHAEL W. BEASLEY  
 JEREMY P. BLYTHE  
 STEPHEN B. BROWN  
 STEPHEN B. CHAPMAN  
 YOON J. CHOI  
 VITO M. CRECCA III  
 DAVID A. DAIGLE

JOEL R. DEGRAEVE  
 CONRAD T. DELANEY  
 CHRISTOPHER N. EARLEY  
 JOSHUA R. EARLS  
 KEN R. ESPINOSA  
 ROBERT D. FASNACHT  
 CHAD O. HAMILTON  
 DIANE M. HAMPTON  
 GREGORY R. HAZLETT  
 JAMES P. HOGAN  
 CLAYTON D. JONES  
 MICHAEL S. KENNEDY  
 TAE H. KIM  
 DIEGO H. LONDONO  
 SCOTT P. MASON  
 DANIEL J. MCGRATH  
 DAVID S. PAHS  
 JEFFREY A. PERRY  
 MATTHEW A. PICKERING  
 JAMES C. RAGAIN III  
 JOSEPH L. ROACH  
 ARTHUR J. ROBBINS II  
 JAMES M. RUTAN  
 MARK A. TORRES  
 STEPHEN E. VELTHUIS  
 CHRISTILENE WHALEN  
 GALE B. WHITE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

PAUL I. AHN  
 JAMES G. ANGERMAN  
 JOSHUA S. BETTIS  
 BRYAN J. BEYER  
 RICHARD E. BUECHEL  
 BRENDAN B. BUNN  
 MICHELLE S. B. CAPONIGRO  
 NATHAN H. DEUNK  
 BENJAMIN R. DUNN  
 DOUGLASS G. FARRAR  
 JOHN D. FRANK  
 BRIAN R. GATES  
 ADAM J. GERLACH  
 JANNIRA L. GREGORY  
 MARJORIE J. GRUBER  
 DEREK B. HALL  
 JOHN H. HEATHERLY  
 KIRK W. HEUTEL  
 BRIAN A. HOLMES  
 SEAN R. HUGHES  
 CHRISTOPHER E. JAMES  
 RUSSELL B. JARVIS  
 MARK S. JUSTISS  
 CODY W. KEESSE  
 HARRY Y. KIM  
 MATTHEW J. KING  
 DOUGLAS H. KNOTTS  
 JOHN D. KVANDAL  
 JOSHUA M. LEWIS  
 CHRISTOPHER J. MCDOWELL  
 JAMIE R. MCFARLAND  
 JACK D. MCLEOD  
 MATTHEW R. MILKOWSKI  
 KENA K. MONTGOMERY  
 JOSE D. MORA  
 NIGEL T. MORRISSEY  
 ANDREW G. MOYER  
 RAMA K. MUTYALA  
 CHRISTOPHER J. OVER  
 JONATHAN M. PILON  
 BRADLEY J. ROBERTS  
 MARK Z. ROUSSEL  
 JOHN V. RUGGIERO  
 DAVID N. SARE  
 HENDRIK A. SCHOEMAN, JR.

ANDREW M. TAKACH  
 GEORGE C. TOMALA  
 JOSHUA A. TURNER  
 IAN H. UNDERWOOD  
 MICHAEL A. WARREN  
 JEFFREY J. WATSON  
 CHRISTOPHER J. WIDHALM  
 ANTHONY L. WILLIAMS  
 ANDREW P. WINCKLER  
 SHANNON L. WRIGHT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

DENNIS L. LANG, JR.  
 YASMIRA LEFFAKIS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

*To be lieutenant commander*

KAREN J. SANKESRITLAND

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADES INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

*To be commander*

MARK F. BIBEAU

*To be lieutenant commander*

MATTHEW K. KOKKELER  
 JASON A. LAURION

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

*To be lieutenant commander*

RANDALL L. MCATEE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be captain*

JOHN F. CAPACCHIONE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be commander*

STUART T. KIRKBY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

*To be lieutenant commander*

CARRIE M. MERCIER

## CONFIRMATION

Executive nomination confirmed by the Senate September 8, 2016:

DEPARTMENT OF STATE

PETER MICHAEL MCKINLEY, OF VIRGINIA, 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 FEDERATIVE REPUBLIC OF BRAZIL.