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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

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

Let us pray.

Eternal God, You are from eternity past and future, the same yesterday, today, and forever. We are Your children seeking to understand the destinies You have choreographed for our lives. Lord, we stand weak and mortal, surrounded by the immensities of Your power and the unfolding of Your loving providence.

Today use our lawmakers as servants for Your purposes. May they remember that life is a dress rehearsal for eternity and a time of training and testing. May their world be centered not in themselves but in You as they better comprehend the vanity of the temporal and the glory of the eternal. As many recover from burning the midnight oil, lift their minds beyond all time and space to You, the Author and Finisher of our faith.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MINORITY LEADER

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

GUN SAFETY LEGISLATION

Mr. REID. Mr. President, for 14 hours and 50 minutes, beginning late Wednesday morning and ending early Thursday morning, the entire Nation watched as the junior Senator from Connecticut gave our Republican colleagues a lesson in a number of things, not the least of which was courage.

Senator MURPHY stood here for 14 hours. We talk a lot about filibusters in the Senate. They don't happen very often. I have been in Congress for 34 years. I have probably been involved in two more filibusters than anyone else. We have talked about them and there are fake filibusters, but this one was real.

I admire and appreciate the junior Senator from Connecticut very much. Four days after 49 innocent Americans were gunned down in cold blood, Senator MURPHY stood here on the Senate floor, as I have already indicated, for 14 hours, pleading with Republicans to join us in doing something to help stop our Nation's scourge of gun violence—and it is a scourge. Thirty-eight other Democrats joined him on the floor, all of whom, without exception, echoed Senator MURPHY's call to keep guns out of the hands of terrorists and criminals.

All 46 of us were united together, led by Senator MURPHY in support of what he was doing. We all believe that he echoed the words that we wish to speak—to keep guns out of the hands of terrorists and criminals. It was an inspiring reminder to Americans that the Senate Democrats will not cave in to the National Rifle Association or Gun Owners of America. We will not cave in to them, and the people of this Nation responded to Senator MURPHY's stand against gun violence in an overwhelming way.

Throughout the course of Senator MURPHY's filibuster, hundreds of our constituents came and watched from the Senate gallery. There were nearly 100 people still sitting in the gallery at 2:12 a.m. this morning as Senator MURPHY brought his filibuster to a close. Thousands and thousands and thousands of constituents called Senate offices demanding that Congress do something to address this gun violence.

Senator MURPHY's filibuster took over social media. ''Hold the floor'' was the top-trending topic nationally and globally. Senator MURPHY got the world's attention and certainly America's attention, and I hope the attention of the Senate Republicans.

In the early morning hours, the Republican leader and I spoke. He indicated that he would commit to a vote on the Murphy-Booker-Feinstein legislation to expand background checks and the Feinstein measure to close the terror loophole, preventing terrorists from walking into a gun store and buying all the firearms and explosives they want.

Why the passion by Senator MURPHY? Why? Could it have been the deaths of these little babies by some madman walking into Sandy Hook Elementary School? Of course it was. He has indicated that he can't get that out of his mind. He thinks about that every day—not 24 hours a day, but every day.

Why was CORY BOOKER here every minute of the time with Senator MURPHY? He was here because he lives in an area where people are killed—several a week. He gave one of the most passionate speeches on Tuesday in our caucus about holding a little boy who was shot in the head and died in his arms.

Senator SCHUMER, the third sponsor of this legislation, has been involved in gun issues since his early days in the House of Representatives. DIANNE FEINSTEIN—doing something about guns has been on her portfolio since she was a member of the board of supervisors of San Francisco. She became mayor as a result of the mayor being murdered. DIANNE FEINSTEIN led the charge a number of years ago to pass legislation on this floor when filibusters were not the way we did things around here, stopping every piece of legislation from going through. She persevered and

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

passed legislation to stop the easily obtainable assault weapons.

Does anybody think these assault weapons are good for hunting or protecting your family? This evil man that went into this nightclub in Orlando, FL—I don't personally know how many clips he had, but he had at least three 30-bullet clips. It took less than 3 seconds to shoot those victims. They were all gone in less than 3 seconds. If you are really not very good at it, it takes a couple of seconds to reload. So to fire off 90 shells would take 10 or 15 seconds if that was what he wanted to do.

DIANNE FEINSTEIN was right many years ago, and she is still right today. These assault weapons are not for the American people's entertainment, and they shouldn't be, but the NRA and Gun Owners of America love to sell these guns. We are going to vote on the Murphy-Booker-Schumer legislation to expand background checks, and we are going to vote on the Feinstein measure to close up terrorist loopholes to prevent a terrorist from walking into a gun store and buying all of the firearms and explosives they want. These are commonsense safety measures that the American people overwhelmingly support.

According to a December poll—December, September, October, August, it doesn't matter; it has been this way for years—almost 90 percent of Americans are in favor of expanding background checks. Ask anyone: Do we want a criminal or someone who has problems with their mental capacity to purchase a gun? Of course we don't. That is what background checks are all about. More than 80 percent of Americans want to close the so-called terror loophole preventing suspected terrorists from purchasing firearms, and legislation by Senator FEINSTEIN will cover just that.

I am glad that there will be votes, and I appreciate that very much. I shouldn't have to be appreciative about something that should just happen, but I am because around here we don't get votes on a lot of stuff.

I want to be very clear: It is not enough for Republicans to simply let us vote. Democrats can't pass the gun safety legislation by ourselves. We are the minority party as a result of the elections 2 years ago. It will change, and there will be a new majority in the first part of next year, but for now we are in the minority in this Chamber and Republicans must join us in order for those measures to pass. That will not happen if the Republicans continue to take their orders—and I mean orders—from the National Rifle Association and Gun Owners of America. We need Americans to understand that we need Republicans to follow Senator MURPHY's and Senator FEINSTEIN's lead and show courage in standing up to the gun lobby.

In the aftermath of the worst shooting in modern American history, our constituents elected us for help. They want to feel safe, and they want to be safe. We can help provide that safety by closing the terror loophole and expanding background checks today and do it immediately. I hope Republicans will do the right thing and work with us to protect Americans from this gun violence. We need gun safety, not more guns. We must take a stand in the Senate and say enough is enough.

CELEBRATING JUNETEENTH

Mr. REID. Mr. President, this Sunday, June 19, is Juneteenth, a day we celebrate each year as a reminder that liberty and justice must reach all corners of our great Nation.

On June 19, 1865, nearly 2½ years after President Lincoln's Emancipation Proclamation and more than 2 months after General Lee's surrender at Appomattox, a number of slaves in Galveston, TX, learned that the institution of slavery was no longer. There was no media, no press, no Internet, and no television at that time.

As we celebrate Juneteenth, I hope we take a moment to reflect on what it represents, the celebration of liberty and freedom for all Americans. Sadly, 151 years later, we have much work to do to ensure that all citizens are treated equally, no matter their race, religion, national origin, or whom they love.

We must ensure all of our citizens can assert their right to vote. Our Nation continues to struggle to make the ballot box more accessible for those who continue to be disfranchised in a number of areas, including ex-felons. They have done their time. Let them be a part of society. We want them to come back and be citizens and a part of the network of our great communities. Let them vote.

Here in our Nation's capital, Washington, DC, more than 600,000 residents in the District of Columbia—that is how many live here—continue to face taxation without representation. I have been here a long time, and I have always supported Statehood for DC. Why not?

As we celebrate Juneteenth this year, I hope that all Americans will look at the example Lincoln set when he sent troops to Galveston, TX, which is, no matter who you are or where you may be, this Nation is a land of liberty and justice for all.

Let the record reflect, I understand protocol here, and I was told that Senator MCCONNELL may be a little bit late. So I was told to go forward.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of debate only until noon today.

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

FIGHTING TERRORISM

Mr. MCCONNELL. Mr. President, over the past few months, terrorists inspired or directed by ISIL have committed mass murder in Brussels, in California, and in France. When ISIL issued a call for lone-wolf attacks against the West during Ramadan, its followers heard the call.

This week, just outside Paris, more innocent lives were ended brutally by a terrorist who broadcasted news of the attack over the Internet.

This week in Orlando, Americans were targeted deliberately and taken forever from their families by a terrorist ISIL has claimed is ''one of the soldiers of the caliphate.''

It is clear from his behavior that this was not a random act of violence. This was a calculated act of terror.

As CIA Director John Brennan testified this morning before the Senate Select Committee on Intelligence: Islamic State militants are ''training and attempting to deploy operatives for further attacks on the West.'' He also called this terrorist attack an assault on the values of openness and tolerance that define the United States as a nation.

Well, of course, he is absolutely right. It throws into stark relief the troubling reality we now face.

ISIL is not the JV team. ISIL is certainly not ''contained.'' ISIL is the personification of evil in the world, and it will continue to bring tragedy after tragedy to our own doorsteps until it is defeated.

President Obama needs to finally lead a campaign to accomplish this objective or, at the very least, prepare the military and intelligence community to help the next President do it if he won't. This is his primary responsibility in the wake of this terrorist tragedy.

Here is ours. Here is what we need to do. Our responsibility in the Senate is to make a choice: work on serious solutions to prevent terrorist attacks or use the Senate as a campaign studio—as a campaign studio. Yesterday, the FBI Director came to deliver a critical briefing on Orlando and explain what is needed to prevent similar terrorist attacks in the future. Senate Republicans attended and asked serious questions. A rather significant group of Senate Democrats skipped it—skipped the briefing all together—for a campaign talkathon out here on the Senate floor, which also prevented us from going forward on the bill, offering amendments and votes.

It is hard to think of a clearer contrast between serious work for solutions on the one hand and endless partisan campaigning on the other.

Doing what we can to fight terror beyond our borders and to prevent attacks within our border were priorities of ours well before the terrorist attack

in Orlando, and they continue to be at the forefront of our efforts now.

We just passed the annual National Defense Authorization Act. It will go a long way toward helping Americans confront global security challenges today and toward preparing the next Commander in Chief to take on the threats tomorrow.

We are now working to pass an appropriations bill that will give the FBI and other law enforcement officials more of the resources needed to track down and defuse threats right here on American soil. As we consider that measure, we are continuing to explore additional tools that can help prevent devastating terrorist attacks, such as tools to help us permanently address the threat of lone-wolf terrorists and to help us connect the dots when it comes to terrorist communications.

Now is the time for Democrats to finally join with us in pursuing serious solutions that can actually make a real difference.

As we said on Tuesday, there will be amendment votes on this bill. There will be amendment votes on this bill. Yesterday, we were prepared to begin that process but were unable to get amendments pending because of the extended floor debate that went on until 2 o'clock this morning. We will try again today to move forward with amendments from both sides, and once there is an agreement to do so, we will update everybody.

So, look, of course, no one wants terrorists to be able to buy guns. No one wants terrorists to be able to buy guns. So if Democrats are actually serious about getting a solution on that issue and not just making a political talking point, they will join with us to support Senator CORNYN's SHIELD Act. It will give the Justice Department the ability to prevent known or suspected terrorists from purchasing firearms. It will protect the constitutional rights of all Americans. It will go a step further as well and actually allow terrorists to be taken into custody if a judge finds probable cause.

Now, that is a serious solution on this issue. Let's remember, however, that this issue represents only a piece of a much bigger challenge. Director Brennan also told the Intelligence Committee today that ''despite all of our progress against ISIL on the battlefield and in the financial realm, our efforts have not reduced the group's terrorist capability and global reach.'' That is Brennan.

If we want to prevent ISIL-inspired and directed attacks, we have to defeat ISIL in Iraq and in Syria. If we want to prevent ISIL-inspired and directed attacks, we have to defeat ISIL in Iraq and in Syria.

Here is what that means. From the White House, it means we don't need another lecture or another threat to veto the Defense bill. It means we need real leadership and a plan of action to defeat ISIL.

From our colleagues here in the Senate, it means we don't need more campaign talkathons like we witnessed yesterday, preventing us from actually voting. It means we need serious solutions and hard work. After all, that is what our constituents sent us here to do.

We may have gotten held back by a day, but now we are able to keep moving forward to set up votes on both sides, just as we always expected.

I yield the floor.

RESERVATION OF LEADER TIME

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

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

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 2578) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes.

Pending:

McConnell (for Shelby/Mikulski) amendment No. 4685, in the nature of a substitute.

Shelby amendment No. 4686 (to amendment No. 4685), to make a technical correction.

The PRESIDING OFFICER. The Senator from Wyoming.

OBAMACARE

Mr. BARRASSO. Mr. President, most mornings when the Senate is in session, the minority leader comes to the floor—Senator REID—and talks for a while, and he sometimes talks about things in the news. So I come today to the floor to talk about a headline in the news today—in the New York Times, of all places—with this headline: ''Obamacare Premiums Are Rising, and Not by a Little.'' ''Obamacare Premiums Are Rising, and Not By a Little'' is today's New York Times headline.

It is interesting that when I hear Senator REID come to the floor, so often he is coming to the floor to defend the Obama health care law. A couple of weeks ago he came to the floor and he said that ObamaCare is ''continuing to work.'' Those are his words. So today I find interesting the New York Times story with this headline: ''Obamacare Premiums Are Rising, and Not By a Little.'' It says:

Even in urban areas where competition was expected to be brisk and the risk pool young and healthy—

''Expected'' is the key word there—

insurers appear to be struggling. In 14 major cities, insurers are asking for 2017 increases twice as big as 2016.

Twice as big as last year—yet Senator REID says ObamaCare is continuing to work.

The next day after he said that, he said that the Affordable Care Act is working. Well, I don't know anyone who could be a Member of the Senate and could actually be going home to their home States on the weekends and listening to people who live in their home States who could believe that ObamaCare is working.

Across the country, people are seeing how much more money they are expected to pay for their health insurance premiums next year. I just read that story from today's New York Times.

Yesterday's Washington Post said:

Premiums for health plans sold through the federal insurance exchange—

the one that Democrats came to the floor and said they loved and was going to work—

could jump substantially next year—

That was from the Washington Post yesterday—

perhaps more than at any point since the Affordable Care Act marketplaces began in 2013.

Does Senator REID read the newspapers? Does he talk to his constituents? Otherwise, how can he be so terribly confused about the impact of this health care law and the damage it has done to the American people?

So far, 31 States and the District of Columbia have released information on what insurance companies plan to charge next year. The average American is facing premiums that are 22 percent higher than this year. That is what is bringing about these headlines in the Washington Post and the New York Times.

In Iowa, an insurance company says that it wants its customers in the ObamaCare exchange to pay as much as 43 percent more next year. One customer wrote in to the State insurance division and said: ''You're killing me.''

Does Senator REID understand the impact of this law?

Another wrote in and said: ''Who can afford this? It's disastrous.''

Does Senator REID note any of that?

In North Carolina, the largest insurance company in the State said it plans to charge people an average of 19 percent more next year.

In Pennsylvania, one company says it is going to charge people up to 48 percent more starting in January.

In Arizona, people are facing premium increases of 53 percent. That is the average increase in Arizona.

So it is not surprising to see a headline in the New York Times today—and I hope Senator REID read the paper: ''Obamacare Premiums Are Rising, and Not By a Little.''

Well, whose fault is this? Who should people across the country blame when they see these outrageous price increases that affect them at home? Well, I believe they should blame Senator REID and every Democrat in Congress who voted for ObamaCare and all of the expensive requirements, regulations, and restrictions.

So the question is, Is ObamaCare working? Let's use President Obama's

standard, the one that he set for himself. Well, he promised that if you liked your doctor, you could keep your doctor. Well, insurance plans have been trying to cut costs by doing what? By narrowing the network of doctors that patients can see. People are finding that they can't keep their doctors. They have been losing their doctor because the doctor is no longer covered by their insurance.

Well, you say, this is from a guy who has practiced medicine for a long time. No, it is a whole weekend section in the Sunday Review of the New York Times: ''Sorry, We Don't Take Obamacare.'' People who have ObamaCare, people who actually supported the idea of ObamaCare cannot see a doctor, cannot go to a hospital because of this health care law.

President Obama said if you liked your insurance, you could keep your insurance. Well, can you? Ninety-two thousand people in Colorado are losing their insurance plan because companies are pulling out of the State. Twenty-two thousand people in Ohio are now scrambling to find new health insurance because the co-op they were in went broke last month.

The health care law actually created 23 different co-ops; 13 of them have gone out of business.

Over the past couple of years, 745,000 Americans who were promised by Barack Obama that if they like their insurance they can keep it lost their insurance because their co-ops have closed down, just under the health care law. President Obama promised—it is his standard—that under his health care law, the average family would see their health care rates go down by $2,500 per year. Anyone who wants to know if ObamaCare is working should ask one simple question: Did your health insurance rates go down by $2,500? That is the standard the Democrats should be held to.

Now we know that ObamaCare did take millions of people and put them into Medicaid, which is a failed system, a broken system. Many refer to it as a second-class citizen. It is hard to see a doctor, hard to get care. It took other people and gave them big taxpayer subsidies, paid for by the American taxpayers, to help them afford the high premiums—the subsidies helped them afford the high premiums for this overpriced ObamaCare insurance, but those people will tell you that it left them with deductibles and copays so high that they can't actually use the insurance. For millions of other Americans, there are no subsidies—just enormous bills.

The President says: Don't worry, you are going to get a subsidy. But let's take a look at how many people will get subsidies and how many will get none who happen to be buying insurance through the exchanges. According to the Congressional Budget Office—the people who look into this—there are 12 million Americans who get some sort of subsidy to buy ObamaCare insurance. The premiums go up, the subsidies go up, but that is a bill that hits the taxpayers, the hard-working men and women in the country who pay their taxes year in and year out.

So that is 12 million, but there are another 12 million—an equal number of people—who have to buy this insurance without any of the subsidies at all. So when the President takes a look and talks about these 12 million, that is a significant hit to the American taxpayers and it turns a blind eye to the 12 million Americans who buy insurance without any of the subsidies. They are left to pay the full freight for these enormous premium increases we are looking at next year.

There was an Associated Press story on Monday. I read the story in today's paper, the story in yesterday's paper, the Associated Press headline on Monday—''Rising premiums rattle consumers paying their own way.'' Are Senator REID and the Democrats rattled by it? They should be because the American public is rattled by it. This tells the story of a woman from Queens, NY. We have two Democratic Senators in this body who voted for this health care law. This is one of their constituents from Queens, NY. She got a notice from her insurance company that they plan to raise her rates by as much as 25 percent next year. On top of this, her plan dropped the hospital network she wants. Well, President Obama promised that she could keep her insurance, she could keep her doctor, and she could keep her hospital. It doesn't apply to this woman in Queens. She says: ''For people like me who are in the middle, there is very limited choice, and now that limited choice is going to get more expensive.'' How do the Senators from New York respond to that? Why aren't they on the floor talking about it?

For most Americans, the Democrats' health care law has meant higher prices, worse health care, and less freedom to choose what is right for them and their families. That is why the polls show that, on average, only 4 out of 10 Americans have a favorable view of the health care law at all, and it is because the premiums keep going up and up without end and are hitting them in the pocket. It is because people are also paying higher deductibles and higher copayments just to see a doctor.

The Kaiser Family Foundation did a survey, and they asked about these deductibles and copays. What they said was that for people who have deductibles over $1,500—even those people who are getting the subsidies for ObamaCare, which the President says is so great—70 percent of them with deductibles over $1,500 ranked ObamaCare as a poor value.

This is a $1,500 deductible. The average silver plan in the ObamaCare exchanges has a deductible of more than $3,000. Insurance plans for next year are starting to come with deductibles of $7,000. How can the President say this is valuable? The people who are getting it—even with his expensive subsidies paid for by taxpayers—are saying this is giving them very little value and is a poor value. That is why this law is so unpopular. That is why ObamaCare continues to be underwater in terms of those who support it and those who oppose it. The average deductible for a silver plan this year is $600 higher than it was just 2 years ago.

That is why, when we see these headlines in the New York Times today and the Washington Post yesterday, we realize that people all across the country are being hurt by this Obama health care law. One out of four Americans say they have been personally hurt by the health care law—not that they know somebody who has been hurt but that they have personally been hurt by the health care law.

Even for people who are getting the subsidies for their premiums, the deductibles and the copays have been rising very fast. People never get to the point of being able to use their insurance. I mean, that is the real problem with the way this was set up. They have coverage; they still can't afford care.

It is interesting to listen to the President's speech. If you listen to him carefully, he doesn't actually use the word ''care,'' he uses the word ''coverage.'' If you can't get care, coverage is useless, but that is what the President's numbers are. He talks about coverage, refusing to talk about care. This is about health care. People want care, not empty coverage.

But in the face of all this evidence, the Democratic leader, HARRY REID, has stood here on the floor of the Senate and pretended in front of the American people that ObamaCare is working. He has repeatedly ignored every broken promise that every Democratic Member in Congress made about the health care law. He has come to the floor and repeatedly ignored every American who has lost their insurance. He repeatedly comes to the floor and ignores every American who has had to pay outrageous amounts of money for insurance that for many of them is unusable but is mandated by President Obama and the Democrats that they have to buy under penalty of law. None of that seems to matter to the Democratic leader, who personally supervised the writing of the health care law in his office behind closed doors. It is a terribly flawed law, but behind the closed doors of his office, it was written and passed on a party-line vote.

Well, the American people have spoken, and they have given Senator REID's efforts and the ObamaCare health care law a failing grade. Even those with the subsidies say it is a poor value today. Americans all across the country are hurting because of ObamaCare, and Senator REID and President Obama bear the responsibility. How much more do the American people have to suffer before the

Washington Democrats will accept the facts? People want the care they need from a doctor they choose at a lower cost.

Republicans have offered ways to give people what they have been asking for all along. It is time for Democrats to work with us. It is time for Democrats to stop trying to deliberately deceive the American people by pretending this broken health care law is working—pretending. That is what this is all about because it is not working. ObamaCare remains very unpopular because people realize that for them personally, it is a very bad deal. Republicans have better ideas, better solutions. Republicans are offering the American people the freedom, the flexibility, and the choice they want when it comes to their health care.

Thank you, Mr. President.

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. 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.

WORKING TOGETHER TO PROTECT OUR COMMUNITIES

Mr. COATS. Mr. President, as my colleagues know, I come to the floor each week to deliver a ''waste of the week'' speech. My concern over excessive government spending and spending on nonessential programs in wasteful ways needs to be shared with the American people, and my colleagues need to know that a lot of hard-earned tax dollars are wasted through waste, fraud, and abuse.

Some of these have been very serious, resulting in literally billions of dollars of waste. Some have been smaller expenditures but ludicrous expenditures, the kinds of expenditures where people say why in the world does the Federal Government have to do that? Or why—where's the common sense here? The American people work very hard to earn the dollars they send to Washington.

A lot of them are scraping by to pay the mortgage that's due at the end of the month, to pay the rent that is due at the end of the week, to get the groceries in the house or the savings to put in the savings account for an education; any number of ways the American people today, as the statistics are showing us today, have less spending money. The average American worker today has up to $3,000-plus less per year in earnings than they did at the beginning of this administration.

I don't know how the President keeps going on the airwaves saying things are just great and look how much better we are doing when people are earning on an average $3,000 less than they earned 8 years after the President first took office.

However, walking over to the floor to deliver this—and this one is one of those speeches—you can't make this up. It's so ridiculous. Can you believe that really an agency that is held in high regard, the National Science Foundation, actually is issuing grants of taxpayer money for these kinds of projects? Normally it would bring a lot of laughs and a lot of outrage over this waste of money.

I couldn't help but think of what is plaguing most Americans this week, after the tragic shooting in Orlando, Sandy Hook, San Bernardino, and all of the other breaking news and tragedies we have been hit with as Americans. I am having trouble with it, as all Americans are having trouble with it. We are trying to fight toward a solution. I am not sure what that solution is. It is not a simplistic solution. Clearly, in a democracy as free and as open as America, whether it is ISIL-inspired or terrorist-inspired or whether it is just someone mentally ill, someone whose hatred drives their life, or someone sitting in their basement at 2 a.m. Being inspired by ISIS web sites or just simply some of the stuff that comes across the internet, we are facing a tough situation here. But this week seems to be importantly difficult, and we are searching for ways—and the last thing we need to do is to politicize this issue.

We have to address issues to make sure we have done everything we possibly can to prevent the wrong people, to prevent terrorists, from purchasing and owning weapons of mass destruction or that can cause the kind of issues we are dealing with in Orlando and other places. There is not a Member of this body, Republican or Democratic, who has not been impacted by what is happening not just in Orlando but by a series of events similar to this. There is not a Senator here—Republican or Democratic, liberal or conservative—who doesn't want to find a way to address the situation in a way that would reduce the incidence or hopefully eliminate the incidence of these issues.

We are working through that now, and working through that is difficult because we do want Americans to have the ability and the rights that are promised to them under the Constitution and the Second Amendment, which is to protect themselves. We want to make sure their constitutional rights aren't breached for their own self-defense.

What do we say to a woman living alone in a neighborhood where there is a lot of drug dealing going on and a lot of random shootings and a lot of home invasions that she can't protect herself? We don't want to do that. We don't want to say to someone who owns a business and wants to ensure that the business is not broken into and they lose everything they have invested and who hires a security guard or someone to provide protection, that we are going to take away that right. By the same token, we don't want these kinds of weapons used in these mass killings to be in the hands of the wrong people. So we are trying to find that balance.

The best way to do that is for all of us to work together to find that balance, instead of blaming one side or the other side for not doing enough or for doing too little. This is not an easy issue to resolve.

It just doesn't seem appropriate for me to come to the floor and talk about the waste of the week because that involves something people normally would laugh at. This is not a week to laugh. This is a week to mourn. This is a week to work together to find a sensible way of trying to prevent these kinds of things from happening, and we are working through that. So next week I will come down and do two waste-of-the-week issues because this waste keeps going on, and it is an issue we all need to be aware of because the people we represent are forced, through the tax system, to send money to Washington, and they want it reasonably spent and reasonably used for necessary purposes.

With that, let's keep our focus and our eyes on the task at hand in respect and in mourning for what has happened in Orlando and what has been happening across our country far, far, far too often. Let's work together to find a reasonable solution that can take us in the right direction toward preventing these things from happening. Not one of us—not one of us—wants to have a process which puts these weapons in the hands of terrorists or those who mean to do us harm.

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

Mr. President, it appears there is an absence of Members here, so I suggest the absence of a quorum.

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

The 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. Without objection, it is so ordered.

SHIELD ACT

Mr. CORNYN. Mr. President, the past few days, we have been contemplating the horrific shooting in Orlando and asking ourselves how this could happen and, of course, grieving and praying and thinking about the people who lost their lives and their families and those who were injured.

As the Presiding Officer knows, yesterday we had the opportunity to get briefed by the FBI Director and the Secretary of Homeland Security. What we learned is that there is still a lot left to learn and that the investigation is ongoing. But clearly this was not a random act of violence. This is not about somebody going to purchase a gun at a store and then going out and deciding indiscriminately to kill the first person they meet, but then again, neither was the shooting in San Bernardino a random act of violence or the attempted shooting in Garland,

TX, which was thwarted by a security guard. These were calculated acts of terror and a reminder—a reminder of the threats to our homeland from ISIS, not just in the Middle East but right here at home by people who have never traveled to the Middle East but who communicate through social media and online and become radicalized by this ideology of hate, one that results in terrible tragedies such as the one we saw in Orlando.

Sadly, our friends on the other side of the aisle have seen this as an opportunity to make this a political debate about gun control, and they simply are refusing to acknowledge the threat we face from radical Islam. Rather than trying to solve the problem, they are trying to drive a wedge between the American people and come up with something that basically does nothing.

I think one thing that makes people crazy about Washington, DC, is when people stand up and claim to understand the problem and yet offer solutions that don't solve the problem but, rather, fit some sort of talking points or ideological agenda. It is clear that what we heard yesterday from our friends across the aisle has nothing to do with defeating ISIS or the threat of international terrorism or the radicalization of Americans in their homes.

So today I am filing an amendment that I believe will offer a solution. I believe that if it had been enacted beforehand, it may have provided the law enforcement agencies, such as the FBI, the tools they need in order to identify somebody like the Orlando shooter beforehand and to take them off the streets. This amendment is called the SHIELD Act. It would not only stop terrorists from getting guns, but it would take them off the streets, and it would do so in a way that is consistent with our Constitution.

I want to make this clear so there is no doubt at all. Every single Senator wants to deny terrorists access to the guns they use to harm innocent civilians. But there is a right way to do things and a wrong way.

My friends on the other side of the aisle have put forward a measure that was voted on last December, sponsored by Mrs. FEINSTEIN, the Senator from California. The bottom line is that proposal doesn't protect our constitutional rights, and it doesn't go far enough to make our country safer. Under Senator FEINSTEIN's proposal, after being denied a gun for being on some classified list created by the government—lists that are often riddled with errors and include law-abiding citizens—the individual can go home, search the Internet for how to build a homemade bomb or go to the hardware store to buy everything they need to carry out some other sort of terrorist attack, and they are free to walk the streets and to plot that attack.

As I mentioned, my legislation actually does what we need to do to give law enforcement, first, the notice that this individual is trying to buy a weapon but then an opportunity to take them off the streets and deny them access to a firearm. Their legislation does nothing to protect the due process rights of American citizens under the Bill of Rights and under our Constitution.

Many of us remember that a few years ago, the late Teddy Kennedy cited his own frustration with showing up on a list that was created by the government in secret, only to find out that he, a United States Senator, was on a no-fly list. Back in 2004, he was put on the list and he was denied an airplane ticket. If Teddy Kennedy from the Kennedy family—one of the most powerful political families in America in our whole history—was denied an opportunity to get on an airplane because he was erroneously put on a no-fly list, you can imagine the problems the rest of us would have.

Senator Kennedy said at the time:

> Now, if they had that kind of difficulty for a member of Congress . . . how in the world are average Americans who are going to get caught up in this kind of thing, how are they going to be able to get treated fairly and not have their rights abused?

That is a pretty good question. It highlights my greater point that we have to be very careful. We need a robust response to protect American citizens but one that doesn't infringe on constitutional rights.

If Senator Kennedy was placed on a watch list and had trouble getting his name removed, do we have any confidence that average Americans like the rest of us will not have their constitutional rights stripped, with no legal process to remedy it?

In the United States of America, where I was born and grew up, we simply cannot deny somebody a constitutional right without due process of law and making the government come forward and presenting evidence to a judge so that a determination can be made not by the government but by an impartial third party.

The proposal I am filing today will help fight terrorism at home and ensure that due process is protected. It is called the SHIELD Act. It would create a process for our law enforcement officials to actually investigate and look at the evidence. But it wouldn't just stop terrorists from buying guns; it would go further—certainly further than the Democrats' amendment—by helping law enforcement take them off the streets. Under my proposal, if someone who is known or suspected of being a terrorist tries to buy a gun, they will be blocked from doing so while the authorities carry out an investigation, followed by an expedited hearing where a judge can block the sale permanently if adequate evidence is produced. And importantly, if the judge determines there is probable cause to block the sale, they can do more than just block the sale; they can take the terrorist into custody. If we believe someone is dangerous enough to not be able to buy a gun, shouldn't we do our best to take them off the streets so they don't pose a danger to our communities?

We also learned from Director Comey yesterday that there are additional tools the FBI does not currently have that we ought to make sure it has, things to make sure that they can use, for example, national security letters to collect not only financial information in counterterrorism cases, which they currently can, but also to make sure that Internet providers can provide IP addresses and email addresses—not content. Not the content. That would require a court order and a showing of probable cause. But the fact is, if we are going to have the FBI and our law enforcement officials connect the dots, we are going to have to make sure they have the tools to collect the dots. That is what we need to be focusing on, not pursuing some opportunistic political agenda that will not solve any problems at all.

I believe my amendment could have had an impact on the Orlando shooting because, as we all have learned, while the shooter in Orlando was not on a watch list at the time he bought the weapons he used in the shooting, he had been on a watch list and he had been investigated by the FBI. Unfortunately, they didn't come up with sufficient evidence with which to detain him at the time.

Under my amendment, when somebody who was previously under investigation for suspicion of terrorism within the last 5 years—like the Orlando attacker—goes to buy the gun, the FBI and the State and local law enforcement authorities will be immediately notified, and they can then escalate their investigation. They can go to a judge and say: Judge, we need a wiretap so we can listen to—based on a showing of probable cause under the Fourth Amendment—we can listen to the conversations to see if they are calling people and engaging in another plot with coconspirators.

In this way, I believe the SHIELD Act could have prevented the tragedy that occurred over the weekend in Orlando because this shooter was on a watch list within the previous 5 years, and if the FBI had been notified, which they would have been if he were on a watch list, then they could have escalated the investigation further and perhaps have discovered enough evidence to take him off the streets.

This is a similar proposal to the one I offered back in December that garnered bipartisan support and received more votes than my colleagues on the other side of the aisle. As a matter of fact, we had 55 votes with a bipartisan majority on my amendment last December. This new amendment is a small tweak in modification, but it is a straightforward plan that reflects input from all sides, and it will stop terrorists from buying guns and will provide a means to get them off the

streets but doing so in a way that ensures American citizens' constitutional rights will be respected.

I think this just makes sense. I think it is pretty reasonable, and it is a good starting point if we are trying to address the real threat of Islamic extremism rearing its ugly head here at home, but as I mentioned, we must do more than equip our law enforcement officials with the tools they need in order to collect evidence and hopefully prevent these attacks from occurring in the future.

So going forward, I hope we will come up with an agreement that any response to domestic terrorism must include providing the FBI and other law enforcement the resources and authorities to track down terrorists and take them off the streets.

FORT HOOD TRAGEDY

Mr. President, 2 weeks ago, about a dozen soldiers were in an Army tactical vehicle in Fort Hood, TX, as part of a larger training exercise when they were swept off the road. Nine of them lost their lives by drowning. This was in the aftermath of heavy rain and flooding throughout Texas, and their vehicle overturned as they tried to cross a flooded creek.

As I said, out of the 12 people swept out of the tactical vehicle, 9 of them drowned, but thankfully 3 survived. The nine who died came from all over America—California, New York, New Jersey, Florida, Indiana, and Texas. They were also at various stages of their honorable careers of serving our country and the U.S. Army.

Today, at the Spirit of Fort Hood Chapel, the Fort Hood community is gathering to remember each of them, their families, to offer prayers for their friends and family left behind, and to consider how we can honor their legacy going forward.

I, of course, send my prayers and deepest condolences to those who have lost loved ones. I can't imagine their pain, but I share in their grief. Fort Hood is a resilient place. Over the years, it has experienced a number of tragedies, including the shooting by MAJ Nidal Husan, just to name another one. They have experienced tragedy before, and I hate that they have to do so again, but I know, without a doubt, that the community there that is nicknamed ''the great place'' is strong, and I hope and pray the service today is a time of hopeful remembrance for those who committed their lives to protect and defend our freedoms.

I thank them for their service, and I stand ready to support the Fort Hood community in any way I can while they continue to grieve the loss of these nine heroes.

RESOLUTIONS SUBMITTED TODAY

Mr. CORNYN. Mr. President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate Resolutions, which were submitted earlier today: S. Res. 495, S. Res. 496, S. Res. 497, and S. Res. 498.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. CORNYN. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be considered made and laid upon the table en bloc.

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

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under ''Submitted Resolutions.'')

UNITED STATES SEMIQUINCENTENNIAL COMMISSION ACT OF 2016

Mr. CORNYN. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 2815 and the Senate proceed to its consideration.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2815) to establish the United States Semiquincentennial Commission, and for other purposes.

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

Mr. CORNYN. 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 with no intervening action or debate.

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

The bill (S. 2815) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2815

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''United States Semiquincentennial Commission Act of 2016''.

SEC. 2. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress finds that July 4, 2026, the 250th anniversary of the founding of the United States, as marked by the Declaration of Independence in 1776, and the historic events preceding that anniversary—

(1) are of major significance in the development of the national heritage of the United States of individual liberty, representative government, and the attainment of equal and inalienable rights; and

(2) have had a profound influence throughout the world.

(b) PURPOSE.—The purpose of this Act is to establish a Commission to provide for the observance and commemoration of the 250th anniversary of the founding of the United States and related events through local, State, national, and international activities planned, encouraged, developed, and coordinated by a national commission representative of appropriate public and private authorities and organizations.

SEC. 3. DEFINITIONS.

In this Act:

(1) COMMISSION.—The term ''Commission'' means the United States Semiquincentennial Commission established by section 4(a).

(2) PRIVATE CITIZEN.—The term ''private citizen'' means an individual who is not an officer or employee of—

(A) the Federal Government; or

(B) a State or local government.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 4. ESTABLISHMENT OF COMMISSION.

(a) IN GENERAL.—There is established a commission, to be known as the ''United States Semiquincentennial Commission'', to plan, encourage, develop, and coordinate the commemoration of the history of the United States leading up to the 250th anniversary of the founding of the United States.

(b) COMPOSITION.—The Commission shall be composed of the following members:

(1) 4 members of the Senate, of whom—

(A) 2 shall be appointed by the majority leader of the Senate; and

(B) 2 shall be appointed by the minority leader of the Senate.

(2) 4 members of the House of Representatives, of whom—

(A) 2 shall be appointed by the Speaker of the House of Representatives; and

(B) 2 shall be appointed by the minority leader of the House of Representatives.

(3) 16 members who are private citizens, of whom—

(A) 4 shall be appointed by the majority leader of the Senate;

(B) 4 shall be appointed by the minority leader of the Senate;

(C) 4 shall be appointed by the Speaker of the House of Representatives;

(D) 4 shall be appointed by the minority leader of the House of Representatives; and

(E) 1 of whom shall be designated by the President as the Chairperson.

(4) The following nonvoting ex officio members:

(A) The Secretary.

(B) The Secretary of State.

(C) The Attorney General.

(D) The Secretary of Defense.

(E) The Secretary of Education.

(F) The Librarian of Congress.

(G) The Secretary of the Smithsonian Institution.

(H) The Archivist of the United States.

(I) The presiding officer of the Federal Council on the Arts and the Humanities.

(c) TERM; VACANCIES.—

(1) TERM.—A member shall be appointed for the life of the Commission.

(2) VACANCIES.—A vacancy on the Commission—

(A) shall not affect the powers of the Commission; and

(B) shall be filled in the same manner as the original appointment was made.

(d) MEETINGS.—All meetings of the Commission shall be convened at Independence Hall in Philadelphia, Pennsylvania, to honor the historical significance of the building as the site of deliberations and adoption of both the United States Declaration of Independence and the Constitution.

(e) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

SEC. 5. DUTIES.

(a) IN GENERAL.—The Commission shall—

(1) prepare an overall program for commemorating the 250th anniversary of the founding of the United States and the historic events preceding that anniversary; and

(2) plan, encourage, develop, and coordinate observances and activities commemorating the historic events that preceded, and are associated with, the United States Semiquincentennial.

(b) REQUIREMENTS.—

(1) IN GENERAL.—In preparing plans and an overall program, the Commission—

(A) shall give due consideration to any related plans and programs developed by State, local, and private groups; and

(B) may designate special committees with representatives from groups described in subparagraph (A) to plan, develop, and coordinate specific activities.

(2) EMPHASIS.—The Commission shall—

(A) emphasize the planning of events in locations of historical significance to the United States, especially in those locations that witnessed the assertion of American liberty, such as—

(i) the 13 colonies; and

(ii) leading cities, including Boston, Charleston, New York City, and Philadelphia; and

(B) give special emphasis to—

(i) the role of persons and locations with significant impact on the history of the United States during the 250-year period beginning on the date of execution of the Declaration of Independence; and

(ii) the ideas associated with that history, which have been so important in the development of the United States, in world affairs, and in the quest for freedom of all mankind.

(3) INFRASTRUCTURE.—The Commission shall—

(A) evaluate existing infrastructure;

(B) include in the report required under subsection (c) recommendations for what infrastructure should be in place for the successful undertaking of an appropriate celebration in accordance with this Act; and

(C) coordinate with State and local bodies to make necessary infrastructure improvements.

(c) REPORT SUBMITTED TO THE PRESIDENT.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Commission shall submit to the President a comprehensive report that includes the specific recommendations of the Commission for the commemoration of the 250th anniversary and related events.

(2) RECOMMENDED ACTIVITIES.—The report may include recommended activities such as—

(A) the production, publication, and distribution of books, pamphlets, films, and other educational materials focusing on the history, culture, and political thought of the period of the American Revolution;

(B) bibliographical and documentary projects and publications;

(C) conferences, convocations, lectures, seminars, and other programs, especially those located in the 13 colonies, including the major cities and buildings of national historical significance of the 13 colonies;

(D) the development of libraries, museums, historic sites, and exhibits, including mobile exhibits;

(E) ceremonies and celebrations commemorating specific events, such as—

(i) the signing of the Declaration of Independence;

(ii) programs and activities focusing on the national and international significance of the United States Semiquincentennial; and

(iii) the implications of the Semiquincentennial for present and future generations;

(F) encouraging Federal agencies to integrate the celebration of the Semiquincentennial into the regular activities and execution of the purpose of the agencies through such activities as the issuance of coins, medals, certificates of recognition, stamps, and the naming of vessels.

(3) REQUIREMENTS.—The report shall include—

(A) the recommendations of the Commission for the allocation of financial and administrative responsibility among the public and private authorities and organizations recommended for participation by the Commission; and

(B) proposals for such legislative enactments and administrative actions as the Commission considers necessary to carry out the recommendations.

(d) REPORT SUBMITTED TO CONGRESS.—The President shall submit to Congress a report that contains—

(1) the complete report of the Commission; and

(2) such comments and recommendations for legislation and such a description of administrative actions taken by the President as the President considers appropriate.

(e) POINT OF CONTACT.—The Commission, acting through the secretariat of the Commission described in section 9(b), shall serve as the point of contact of the Federal Government for all State, local, international, and private sector initiatives regarding the Semiquincentennial of the founding of the United States, with the purpose of coordinating and facilitating all fitting and proper activities honoring the 250th anniversary of the founding of the United States.

SEC. 6. COORDINATION.

(a) IN GENERAL.—In carrying out this Act, the Commission shall consult and cooperate with, and seek advice and assistance from, appropriate Federal agencies, State and local public bodies, learned societies, and historical, patriotic, philanthropic, civic, professional, and related organizations.

(b) RESPONSIBILITY OF OTHER FEDERAL AGENCIES.—

(1) IN GENERAL.—Federal agencies shall cooperate with the Commission in planning, encouraging, developing, and coordinating appropriate commemorative activities.

(2) DEPARTMENT OF THE INTERIOR.—

(A) IN GENERAL.—The Secretary shall undertake a study of appropriate actions that might be taken to further preserve and develop historic sites and battlefields, at such time and in such manner as will ensure that fitting observances and exhibits may be held at appropriate sites and battlefields during the 250th anniversary celebration.

(B) REPORT.—The Secretary shall submit to the Commission a report that contains the results of the study and the recommendations of the Secretary, in time to afford the Commission an opportunity—

(i) to review the study; and

(ii) to incorporate in the report described in section 5(c) such findings and recommendations as the Commission considers appropriate.

(3) ARTS AND HUMANITIES.—

(A) IN GENERAL.—The presiding officer of the Federal Council on the Arts and the Humanities, the Chairperson of the National Endowment for the Arts, and the Chairperson of the National Endowment for the Humanities shall cooperate with the Commission, especially in the encouragement and coordination of scholarly works and artistic expressions focusing on the history, culture, and political thought of the period predating the United States Semiquincentennial.

(B) LIBRARY OF CONGRESS, SMITHSONIAN INSTITUTION, AND ARCHIVES.—

(i) IN GENERAL.—The Librarian of Congress, the Secretary of the Smithsonian Institution, and the Archivist of the United States shall cooperate with the Commission, especially in the development and display of exhibits and collections and in the development of bibliographies, catalogs, and other materials relevant to the period predating the United States Semiquincentennial.

(ii) LOCATION.—To the maximum extent practicable, displays described in subparagraph (A) shall be located in, or in facilities near to, buildings of historical significance to the American Revolution, so as to promote greater public awareness of the heritage of the United States.

(C) SUBMISSION OF RECOMMENDATIONS.—Each of the officers described in this paragraph shall submit to the Commission a report containing recommendations in time to afford the Commission an opportunity—

(i) to review the reports; and

(ii) to incorporate in the report described in section 5(c) such findings and recommendations as the Commission considers appropriate.

(4) DEPARTMENT OF STATE.—The Secretary of State shall coordinate the participation of foreign nations in the celebration of the United States Semiquincentennial, including by soliciting the erection of monuments and other cultural cooperations in founding cities of the United States so as—

(A) to celebrate the shared heritage of the United States with the many peoples and nations of the world; and

(B) to provide liaison and encouragement for the erection of international pavilions to showcase the spread of democratic institutions abroad in the period following the American Revolution.

SEC. 7. POWERS.

(a) HEARINGS.—The Commission may hold such hearings, meet and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out this Act.

(b) INFORMATION FROM FEDERAL AGENCIES.—

(1) IN GENERAL.—The Commission may secure directly from a Federal agency such information as the Commission considers necessary to carry out this Act.

(2) PROVISION OF INFORMATION.—On request of the Chairperson of the Commission, the head of the agency shall provide the information to the Commission.

(c) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other agencies of the Federal Government.

(d) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of money, property, or personal services.

(e) ADDITIONAL POWERS.—As determined necessary by the Commission, the Commission may—

(1) procure supplies, services, and property;

(2) make contracts;

(3) expend in furtherance of this Act funds appropriated, donated, or received in pursuance of contracts entered into under this Act; and

(4) take such actions as are necessary to enable the Commission to carry out efficiently and in the public interest the purposes of this Act.

(f) USE OF MATERIALS.—

(1) TIME CAPSULE.—A representative portion of all books, manuscripts, miscellaneous printed matter, memorabilia, relics, and other materials relating to the United States Semiquincentennial shall be deposited in a time capsule—

(A) to be buried in Independence Mall, Philadelphia, on July 4, 2026; and

(B) to be unearthed on the occasion of the 500th anniversary of the United States of America on July 4, 2276.

(2) OTHER MATERIALS.—All other books, manuscripts, miscellaneous printed matter, memorabilia, relics, and other materials relating to the United States Semiquincentennial, whether donated to the Commission or collected by the Commission, may be deposited for preservation in national, State, or local libraries or museums or be otherwise disposed of by the Commission, in consultation with the Librarian of

Congress, the Secretary of the Smithsonian Institution, the Archivist of the United States, and the Administrator of General Services.

(g) PROPERTY.—Any property acquired by the Commission remaining on termination of the Commission may be—

(1) used by the Secretary for purposes of the National Park Service; or

(2) disposed of as excess or surplus property.

SEC. 8. COMMISSION PERSONNEL MATTERS.

(a) COMPENSATION OF MEMBERS.—The members of the Commission shall receive no compensation for service on the Commission.

(b) TRAVEL EXPENSES.—A member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Commission.

(c) STAFF.—

(1) IN GENERAL.—The Chairperson of the Commission may, without regard to the civil service laws (including regulations), appoint and terminate an executive director and such other additional personnel as are necessary to enable the Commission to perform the duties of the Commission.

(2) CONFIRMATION OF EXECUTIVE DIRECTOR.—The employment of an executive director shall be subject to confirmation by the Commission.

(3) COMPENSATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Chairperson of the Commission may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates.

(B) MAXIMUM RATE OF PAY.—The rate of pay for the executive director and other personnel shall not exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(d) DETAIL OF FEDERAL GOVERNMENT EMPLOYEES.—

(1) IN GENERAL.—An employee of the Federal Government may be detailed to the Commission without reimbursement.

(2) CIVIL SERVICE STATUS.—The detail of the employee shall be without interruption or loss of civil service status or privilege.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Commission may procure temporary and intermittent services in accordance with section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

(f) ADVISORY COMMITTEES.—The Commission may appoint such advisory committees as the Commission determines necessary.

SEC. 9. EXPENDITURES OF COMMISSION.

(a) IN GENERAL.—All expenditures of the Commission shall be made solely from—

(1) donated funds; and

(2) funds specifically appropriated for the Commission.

(b) ADMINISTRATIVE SECRETARIAT.—The Commission shall seek to enter into an arrangement with USA 250, Incorporated, under which USA 250, Incorporated, shall—

(1) serve as the secretariat of the Commission, including by serving as the point of contact under section 5(e);

(2) house the administrative offices of the Commission;

(3) assume responsibility for funds of the Commission; and

(4) provide to the Commission financial and administrative services, including services related to budgeting, accounting, financial reporting, personnel, and procurement.

(c) PAYMENT FOR FINANCIAL AND ADMINISTRATIVE SERVICES.—

(1) IN GENERAL.—Subject to paragraph (2), payment for services provided under subsection (b)(4) shall be made in advance, or by reimbursement, from funds of the Commission in such amounts as may be agreed on by the Chairperson of the Commission and the secretariat of the Commission.

(2) RELATIONSHIP TO REGULATIONS.—

(A) ERRONEOUS PAYMENTS.—The regulations under section 5514 of title 5, United States Code, relating to the collection of indebtedness of personnel resulting from erroneous payments shall apply to the collection of erroneous payments made to, or on behalf of, a Commission employee.

(B) APPROPRIATIONS.—The regulations under sections 1513(d) and 1514 of title 31, United States Code, relating to the administrative control of funds, shall apply to appropriations of the Commission.

(C) NO PROMULGATION BY COMMISSION.—The Commission shall not be required to prescribe any regulations relating to the matters described in subparagraphs (A) and (B).

(d) ANNUAL REPORT.—Once each year during the period beginning on the date of enactment of this Act and ending on December 31, 2027, the Commission shall submit to Congress a report of the activities of the Commission, including an accounting of funds received and expended during the year covered by the report.

SEC. 10. TERMINATION OF COMMISSION.

The Commission shall terminate on December 31, 2027.

RAPID DNA ACT OF 2015

Mr. CORNYN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 462, S. 2348.

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

The legislative clerk read as follows:

A bill (S. 2348) to implement the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, to solve and prevent violent crimes and other crimes, to exonerate the innocent, to prevent DNA analysis backlogs, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italics.)

S. 2348

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Rapid DNA Act of **[**2015**]** *2016*''.

SEC. 2. RAPID DNA INSTRUMENTS.

(a) STANDARDS.—Section 210303(a) of the DNA Identification Act of 1994 (42 U.S.C. 14131(a)) is amended by adding at the end the following:

''(5)(A) In addition to issuing standards as provided in paragraphs (1) through (4), the Director of the Federal Bureau of Investigation shall issue standards and procedures for the use of Rapid DNA instruments and resulting DNA analyses.

''(B) In this **[**paragraph**]** *Act*, the term 'Rapid DNA instruments' means instrumentation that carries out a fully automated process to derive a DNA **[**profile**]** *analysis* from a DNA sample.''.

(b) INDEX.—Paragraph (2) of section 210304(b) of the DNA Identification Act of 1994 (42 U.S.C. 14132(b)(2)) is amended to read as follows:

''(2) prepared by—

''(A) laboratories that—

''(i) have been accredited by a nonprofit professional association of persons actively involved in forensic science that is nationally recognized within the forensic science community; and

''(ii) undergo external audits, not less than once every 2 years, that demonstrate compliance with standards established by the Director of the Federal Bureau of Investigation; or

''(B) criminal justice agencies using Rapid DNA instruments approved by the Director of the Federal Bureau of Investigation in compliance with the standards and procedures issued by the Director under section 210303(a)(5); and''.

SEC. 3. CONFORMING AMENDMENTS RELATING TO COLLECTION OF DNA IDENTIFICATION INFORMATION.

(a) FROM CERTAIN FEDERAL OFFENDERS.—Section 3 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135a) is amended—

(1) in subsection (b), by adding at the end the following: ''The Director of the Federal Bureau of Investigation may waive the requirements under this subsection if DNA samples are analyzed by means of Rapid DNA instruments and the results are included in CODIS.''; and

(2) in subsection (c), by adding at the end the following:

''(3) The term 'Rapid DNA instruments' means instrumentation that carries out a fully automated process to derive a DNA **[**profile**]** *analysis* from a DNA sample.''.

(b) FROM CERTAIN DISTRICT OF COLUMBIA OFFENDERS.—Section 4 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135b) is amended—

(1) in subsection (b), by adding at the end the following: ''The Director of the Federal Bureau of Investigation may waive the requirements under this subsection if DNA samples are analyzed by means of Rapid DNA instruments and the results are included in CODIS.''; and

(2) in subsection (c), by adding at the end the following:

''(3) The term 'Rapid DNA instruments' means instrumentation that carries out a fully automated process to derive a DNA **[**profile**]** *analysis* from a DNA sample.''.

Mr. CORNYN. Mr. President, I ask unanimous consent that the committee-reported amendments be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

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

The committee-reported amendments were agreed to.

The bill (S. 2348), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2348

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Rapid DNA Act of 2016''.

SEC. 2. RAPID DNA INSTRUMENTS.

(a) STANDARDS.—Section 210303(a) of the DNA Identification Act of 1994 (42 U.S.C. 14131(a)) is amended by adding at the end the following:

''(5)(A) In addition to issuing standards as provided in paragraphs (1) through (4), the Director of the Federal Bureau of Investigation shall issue standards and procedures for the use of Rapid DNA instruments and resulting DNA analyses.

''(B) In this Act, the term 'Rapid DNA instruments' means instrumentation that carries out a fully automated process to derive a DNA analysis from a DNA sample.''.

(b) INDEX.—Paragraph (2) of section 210304(b) of the DNA Identification Act of 1994 (42 U.S.C. 14132(b)(2)) is amended to read as follows:

''(2) prepared by—

''(A) laboratories that—

''(I) have been accredited by a nonprofit professional association of persons actively involved in forensic science that is nationally recognized within the forensic science community; and

''(ii) undergo external audits, not less than once every 2 years, that demonstrate compliance with standards established by the Director of the Federal Bureau of Investigation; or

''(B) criminal justice agencies using Rapid DNA instruments approved by the Director of the Federal Bureau of Investigation in compliance with the standards and procedures issued by the Director under section 210303(a)(5); and''.

SEC. 3. CONFORMING AMENDMENTS RELATING TO COLLECTION OF DNA IDENTIFICATION INFORMATION.

(a) FROM CERTAIN FEDERAL OFFENDERS.—Section 3 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135a) is amended—

(1) in subsection (b), by adding at the end the following: ''The Director of the Federal Bureau of Investigation may waive the requirements under this subsection if DNA samples are analyzed by means of Rapid DNA instruments and the results are included in CODIS.''; and

(2) in subsection (c), by adding at the end the following:

''(3) The term 'Rapid DNA instruments' means instrumentation that carries out a fully automated process to derive a DNA analysis from a DNA sample.''.

(b) FROM CERTAIN DISTRICT OF COLUMBIA OFFENDERS.—Section 4 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135b) is amended—

(1) in subsection (b), by adding at the end the following: ''The Director of the Federal Bureau of Investigation may waive the requirements under this subsection if DNA samples are analyzed by means of Rapid DNA instruments and the results are included in CODIS.''; and

(2) in subsection (c), by adding at the end the following:

''(3) The term 'Rapid DNA instruments' means instrumentation that carries out a fully automated process to derive a DNA analysis from a DNA sample.''.

JUSTICE FOR ALL REAUTHORIZATION ACT OF 2016

Mr. CORNYN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 463, S. 2577.

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

The legislative clerk read as follows:

A bill (S. 2577) to protect crime victims' rights, to eliminate the substantial backlog of DNA and other forensic evidence samples to improve and expand the forensic science testing capacity of Federal, State, and local crime laboratories, to increase research and development of new testing technologies, to develop new training programs regarding the collection and use of forensic evidence, to provide post-conviction testing of DNA evidence to exonerate the innocent, to support accreditation efforts of forensic science laboratories and medical examiner offices, to address training and equipment needs, to improve the performance of counsel in State capital cases, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with amendments, as follows:

(The part of the bill intended to be stricken is shown in boldface brackets and the parts of the bill intended to be inserted are shown in italics.)

S. 2577

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Justice for All Reauthorization Act of 2016''.

SEC. 2. CRIME VICTIMS' RIGHTS.

(a) RESTITUTION DURING SUPERVISED RELEASE.—Section 3583(d) of title 18, United States Code, is amended in the first sentence by inserting '', that the defendant make restitution in accordance with sections 3663 and 3663A, or any other statute authorizing a sentence of restitution,'' after ''supervision''.

(b) COLLECTION OF RESTITUTION FROM DEFENDANT'S ESTATE.—Section 3613(b) of title 18, United States Code, is amended by adding at the end the following: ''The liability to pay restitution shall terminate on the date that is the later of 20 years from the entry of judgment or 20 years after the release from imprisonment of the person ordered to pay restitution. In the event of the death of the person ordered to pay restitution, the individual's estate will be held responsible for any unpaid balance of the restitution amount, and the lien provided in subsection (c) of this section shall continue until the estate receives a written release of that liability.''.

(c) VICTIM INTERPRETERS.—Rule 28 of the Federal Rules of Criminal Procedure is amended in the first sentence by inserting before the period at the end the following: '', including an interpreter for the victim''.

(d) GAO STUDY.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall—

(A) conduct a study to determine whether enhancing the restitution provisions under sections 3663 and 3663A of title 18, United States Code, to provide courts broader authority to award restitution for Federal offenses would be beneficial to crime victims and what other factors Congress should consider in weighing such changes; and

(B) submit to Congress a report on the study conducted under subparagraph (A).

(2) CONTENTS.—In conducting the study under paragraph (1), the Comptroller General shall focus on the benefits to crime victims that would result if the restitution provisions under sections 3663 and 3663A of title 18, United States Code, were expanded—

(A) to apply to victims who have suffered harm, injury, or loss that would not have occurred but for the defendant's related conduct;

(B) in the case of an offense resulting in bodily injury resulting in the victim's death, to allow the court to use its discretion to award an appropriate sum to reflect the income lost by the victim's surviving family members or estate as a result of the victim's death;

(C) to require that the defendant pay to the victim an amount determined by the court to restore the victim to the position he or she would have been in had the defendant not committed the offense; and

(D) to require that the defendant compensate the victim for any injury, harm, or loss, including emotional distress, that occurred as a result of the offense.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS FOR GRANTS FOR CRIME VICTIMS.

(a) CRIME VICTIMS LEGAL ASSISTANCE GRANTS.—Section 103(b) of the Justice for All Act of 2004 (Public Law 108–405; 118 Stat. 2264) is amended—

(1) in paragraph (1), by striking ''2006, 2007, 2008, and 2009'' and inserting ''2017 through 2021'';

(2) in paragraph (2), by striking ''2006, 2007, 2008, and 2009'' and inserting ''2017 through 2021'';

(3) in paragraph (3), by striking ''2006, 2007, 2008, and 2009'' and inserting ''2017 through 2021'';

(4) in paragraph (4), by striking ''2006, 2007, 2008, and 2009'' and inserting ''2017 through 2021''; and

(5) in paragraph (5), by striking ''2006, 2007, 2008, and 2009'' and inserting ''2017 through 2021''.

(b) CRIME VICTIMS NOTIFICATION GRANTS.—Section 1404E(c) of the Victims of Crime Act of 1984 (42 U.S.C. 10603e(c)) is amended by striking ''2006, 2007, 2008, and 2009'' and inserting ''2017 through 2021''.

SEC. 4. REDUCING THE RAPE KIT BACKLOG.

Of the amounts made available to the Attorney General for a DNA Analysis and capacity enhancement program and for other local, State, and Federal forensic activities under the heading ''STATE AND LOCAL LAW ENFORCEMENT'' under the heading ''OFFICE OF JUSTICE PROGRAMS'' under the heading ''DEPARTMENT OF JUSTICE'' in a fiscal year—

(1) not less than 75 percent of such amounts shall be provided for grants for direct testing activities described under paragraphs (1), (2), and (3) of section 2(a) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(a)); and

(2) not less than 5 percent of such amounts shall be provided for grants for law enforcement agencies to conduct audits of their backlogged rape kits, including through the creation of a tracking system, under section 2(a)(7) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(a)(7)), and to prioritize testing in those cases in which the statute of limitation will soon expire.

SEC. 5. SEXUAL ASSAULT NURSE EXAMINERS.

Section 304 of the DNA Sexual Assault Justice Act of 2004 (42 U.S.C. 14136a) is amended—

(1) by redesignating subsection (c) as subsection (d); and

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

''(c) PREFERENCE.—

''(1) IN GENERAL.—In reviewing applications submitted in accordance with a program authorized, in whole or in part, by this section, the Attorney General shall give preference to any eligible entity that certifies that the entity will use the grant funds to—

''(A) operate or expand forensic nurse examiner programs in a rural area or for an underserved population, as those terms are defined in section 4002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925);

''(B) hire full-time forensic nurse examiners to conduct activities under subsection (a); or

''(C) sustain or establish a training program for forensic nurse examiners.

''(2) DIRECTIVE TO THE ATTORNEY GENERAL.—Not later than 120 days after the date of enactment of the Justice for All Reauthorization Act of 2016, the Attorney General shall coordinate with the Secretary of Health and Human Services to inform Federally Qualified Health Centers, Community Health Centers, hospitals, colleges and universities, and other appropriate health-related entities about the role of forensic nurses and existing resources available within the Department of Justice and the Department of Health and Human Services to train or employ forensic nurses to address the needs of communities dealing with sexual assault, domestic violence, and elder abuse. The Attorney General shall collaborate on this effort with nongovernmental organizations representing forensic nurses.''.

SEC. 6. PROTECTING THE VIOLENCE AGAINST WOMEN ACT.

Section 8(e)(1)(A) of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15607(e)(1)(A)) is amended—

(1) in clause (i), by striking ''and'' at the end;

(2) in clause (ii), by striking the period and inserting ''; and''; and

(3) by inserting at the end the following:

''(iii) the program is not administered by the Office on Violence Against Women of the Department of Justice.''.

SEC. 7. CLARIFICATION OF VIOLENCE AGAINST WOMEN ACT HOUSING PROTECTIONS.

Section 41411(b)(3)(B)(ii) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–11(b)(3)(B)(ii)) is amended—

(1) in the first sentence, by inserting ''or resident'' after ''any remaining tenant''; and

(2) in the second sentence, by inserting ''or resident'' after ''tenant'' each place it appears.

SEC. 8. STRENGTHENING THE PRISON RAPE ELIMINATION ACT.

The Prison Rape Elimination Act of 2003 (42 U.S.C. 15601 et seq.) is amended—

(1) in section 6(d)(2) (42 U.S.C. 15605(d)(2)), by striking subparagraph (A) and inserting the following:

''(A)(i) include the certification of the chief executive that the State receiving such grant has adopted all national prison rape standards that, as of the date on which the application was submitted, have been promulgated under this Act; or

''(ii) demonstrate to the Attorney General, in such manner as the Attorney General shall require, that the State receiving such grant is actively working to adopt and achieve full compliance with the national prison rape standards described in clause (i);''; and

(2) in section 8(e) (42 U.S.C. 15607(e))—

(A) by striking paragraph (2) and inserting the following:

''(2) ADOPTION OF NATIONAL STANDARDS.—

''(A) IN GENERAL.—For each fiscal year, any amount that a State would otherwise receive for prison purposes for that fiscal year under a grant program covered by this subsection shall be reduced by 5 percent, unless the chief executive officer of the State submits to the Attorney General proof of compliance with this Act through—

''(i) a certification that the State has adopted, and is in full compliance with, the national standards described in subsection (a); or

''(ii) an assurance that the State intends to adopt and achieve full compliance with those national standards so as to ensure that a certification under clause (i) may be submitted in future years, which includes—

''(I) a commitment that not less than 5 percent of such amount shall be used for this purpose; or

''(II) a request that the Attorney General hold 5 percent of such amount in abeyance pursuant to the requirements of subparagraph (E).

''(B) RULES FOR CERTIFICATION.—

''(i) IN GENERAL.—A chief executive officer of a State who submits a certification under this paragraph shall also provide the Attorney General with—

''(I) a list of the prisons under the operational control of the executive branch of the State;

''(II) a list of the prisons listed under subclause (I) that were audited during the most recently concluded audit year;

''(III) all final audit reports for prisons listed under subclause (I) that were completed during the most recently concluded audit year; and

''(IV) a proposed schedule for completing an audit of all the prisons listed under subclause (I) during the following 3 audit years.

''(ii) AUDIT APPEAL EXCEPTION.—Beginning on the date that is 3 years after the date of enactment of the Justice for All Reauthorization Act of 2016, a chief executive officer of a State may submit a certification that the State is in full compliance pursuant to subparagraph (A)(i) even if a prison under the operational control of the executive branch of the State has an audit appeal pending.

''(C) RULES FOR ASSURANCES.—

''(i) IN GENERAL.—A chief executive officer of a State who submits an assurance under subparagraph (A)(ii) shall also provide the Attorney General with—

''(I) a list of the prisons under the operational control of the executive branch of the State;

''(II) a list of the prisons listed under subclause (I) that were audited during the most recently concluded audit year;

''(III) an explanation of any barriers the State faces to completing required audits;

''(IV) all final audit reports for prisons listed under subclause (I) that were completed during the most recently concluded audit year;

''(V) a proposed schedule for completing an audit of all prisons under the operational control of the executive branch of the State during the following 3 audit years; and

''(VI) an explanation of the State's current degree of implementation of the national standards.

''(ii) ADDITIONAL REQUIREMENT.—A chief executive officer of a State who submits an assurance under subparagraph (A)(ii)(I) shall, before receiving the applicable funds described in subparagraph (A)(ii)(I), also provide the Attorney General with a proposed plan for the expenditure of the funds during the applicable grant period.

''(iii) ACCOUNTING OF FUNDS.—A chief executive officer of a State who submits an assurance under subparagraph (A)(ii)(I) shall, in a manner consistent with the applicable grant reporting requirements, submit to the Attorney General a detailed accounting of how the funds described in subparagraph (A) were used.

''(D) SUNSET OF ASSURANCE OPTION.—

''(i) IN GENERAL.—On the date that is 3 years after the date of enactment of the Justice for All Reauthorization Act of 2016, subclause (II) of subparagraph (A)(ii) shall cease to have effect.

''(ii) ADDITIONAL SUNSET.—On the date that is 6 years after the date of enactment of the Justice for All Reauthorization Act of 2016, clause (ii) of subparagraph (A) shall cease to have effect.

''(iii) EMERGENCY ASSURANCES.—

''(I) REQUEST.—Notwithstanding clause (ii), during the 2-year period beginning 6 years after the date of enactment of the Justice for All Reauthorization Act of 2016, a chief executive officer of a State who certifies that the State has audited not less than 90 percent of prisons under the operational control of the executive branch of the State may request that the Attorney General allow the chief executive officer to submit an emergency assurance in accordance with subparagraph (A)(ii) as in effect on the day before the date on which that subparagraph ceased to have effect under clause (ii) of this subparagraph.

''(II) GRANT OF REQUEST.—The Attorney General shall grant a request submitted under subclause (I) within 60 days upon a showing of good cause.

''(E) DISPOSITION OF FUNDS HELD IN ABEYANCE.—

''(i) IN GENERAL.—If the chief executive officer of a State who has submitted an assurance under subparagraph (A)(ii)(II) subsequently submits a certification under subparagraph (A)(i) during the 3-year period beginning on the date of enactment of the Justice for All Reauthorization Act of 2016, the Attorney General will release all funds held in abeyance under subparagraph (A)(ii)(II) to be used by the State in accordance with the conditions of the grant program for which the funds were provided.

''(ii) RELEASE OF FUNDS.—If the chief executive officer of a State who has submitted an assurance under subparagraph (A)(ii)(II) is unable to submit a certification during the 3-year period beginning on the date of enactment of the Justice for All Reauthorization Act of 2016, but does assure the Attorney General that ⅔ of prisons under the operational control of the executive branch of the State have been audited at least once, the Attorney General shall release all of the funds of the State held in abeyance to be used in adopting and achieving full compliance with the national standards, if the State agrees to comply with the applicable requirements in clauses (ii) and (iii) of subparagraph (C).

''(iii) REDISTRIBUTION OF FUNDS.—If the chief executive officer of a State who has submitted an assurance under subparagraph (A)(ii)(II) is unable to submit a certification during the 3-year period beginning on the date of enactment of the Justice for All Reauthorization Act of 2016 and does not assure the Attorney General that ⅔ of prisons under the operational control of the executive branch of the State have been audited at least once, the Attorney General shall redistribute the funds of the State held in abeyance to other States to be used in accordance with the conditions of the grant program for which the funds were provided.

''(F) PUBLICATION OF AUDIT RESULTS.—Not later than 1 year after the date of enactment of the Justice for All Reauthorization Act of 2016, the Attorney General shall request from each State, and make available on an appropriate Internet website, all final audit reports completed to date for prisons under the operational control of the executive branch of each State. The Attorney General shall update such website annually with reports received from States under subparagraphs (B)(i) and (C)(i).

''(G) REPORT ON IMPLEMENTATION OF NATIONAL STANDARDS.—Not later than 2 years after the date of enactment of the Justice for All Reauthorization Act of 2016, the Attorney General shall issue a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on the status of implementation of the national standards and the steps the Department, in conjunction with the States and other key stakeholders, is

taking to address any unresolved implementation issues.''; and

(B) by adding at the end the following:

''(8) BACKGROUND CHECKS FOR AUDITORS.—An individual seeking certification by the Department of Justice to serve as an auditor of prison compliance with the national standards described in subsection (a) shall, upon request, submit fingerprints in the manner determined by the Attorney General for criminal history record checks of the applicable State and Federal Bureau of Investigation repositories.''.

SEC. 9. ADDITIONAL REAUTHORIZATIONS.

(a) DNA RESEARCH AND DEVELOPMENT.—Section 305(c) of the Justice for All Act of 2004 (42 U.S.C. 14136b(c)) is amended by striking ''$15,000,000 for each of fiscal years 2005 through 2009'' and inserting ''$5,000,000 for each of fiscal years 2017 through 2021''.

(b) FBI DNA PROGRAMS.—Section 307(a) of the Justice for All Act of 2004 (Public Law 108–405; 118 Stat. 2275) is amended by striking ''$42,100,000 for each of fiscal years 2005 through 2009'' and inserting ''$10,000,000 for each of fiscal years 2017 through 2021''.

(c) DNA IDENTIFICATION OF MISSING PERSONS.—Section 308(c) of the Justice for All Act of 2004 (42 U.S.C. 14136d(c)) is amended by striking ''fiscal years 2005 through 2009'' and inserting ''fiscal years 2017 through 2021''.

SEC. 10. PAUL COVERDELL FORENSIC SCIENCES IMPROVEMENT GRANTS.

(a) GRANTS.—Part BB of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797j) is amended—

(1) in section 2802(2) (42 U.S.C. 3797k(2)), by inserting after ''bodies'' the following: ''and is accredited by an accrediting body that is a signatory to an internationally recognized arrangement and that offers accreditation to forensic science conformity assessment bodies using an accreditation standard that is recognized by that internationally recognized arrangement, or attests, in a manner that is legally binding and enforceable, to use a portion of the grant amount to prepare and apply for such accreditation not more than 2 years after the date on which a grant is awarded under section 2801'';

(2) in section 2803(a) (42 U.S.C. 3797l(a))—

(A) in paragraph (1)—

(i) by striking ''Seventy-five percent'' and inserting ''Eighty-five percent''; and

(ii) by striking ''75 percent'' and inserting ''85 percent'';

(B) in paragraph (2), by striking ''Twenty-five percent'' and inserting ''Fifteen percent''; and

(C) in paragraph (3), by striking ''0.6 percent'' and inserting ''1 percent'';

(3) in section 2804(a) (42 U.S.C. 3797m(a))—

(A) in paragraph (2)—

(i) by inserting ''impression evidence,'' after ''latent prints,''; and

(ii) by inserting ''digital evidence, fire evidence,'' after ''toxicology,'';

(B) in paragraph (3), by inserting ''and medicolegal death investigators'' after ''laboratory personnel''; and

(C) by inserting at the end the following:

''(4) To address emerging forensic science issues (such as statistics, contextual bias, and uncertainty of measurement) and emerging forensic science technology (such as high throughput automation, statistical software, and new types of instrumentation).

''(5) To educate and train forensic pathologists in the United States.

''(6) To work with the States and units of local government to direct funding to medicolegal death investigation systems to facilitate accreditation of medical examiner and coroner offices and certification of medicolegal death investigators.''; and

(4) in section 2806(a) (42 U.S.C. 3797o(a))—

(A) in paragraph (3), by striking ''and'' at the end;

(B) by redesignating paragraph (4) as paragraph (5); and

(C) by inserting after paragraph (3) the following:

''(4) the progress of any unaccredited forensic science service provider receiving grant funds toward obtaining accreditation; and''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a)(24) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(24)) is amended—

(1) in subparagraph (H), by striking ''and'' at the end;

(2) in subparagraph (I), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(J) $25,000,000 for each of fiscal years 2017 through 2021.''.

SEC. 11. IMPROVING THE QUALITY OF REPRESENTATION IN STATE CAPITAL CASES.

Section 426 of the Justice for All Act of 2004 (42 U.S.C. 14163e) is amended—

(1) in subsection (a), by striking ''$75,000,000 for each of fiscal years 2005 through 2009'' and inserting ''$30,000,000 for each of fiscal years 2017 through 2021''; and

(2) in subsection (b), by inserting before the period at the end the following: '', or upon a showing of good cause, and at the discretion of the Attorney General, the State may determine a fair allocation of funds across the uses described in sections 421 and 422''.

SEC. 12. POST-CONVICTION DNA TESTING.

(a) IN GENERAL.—Section 3600 of title 18, United States Code, is amended—

(1) by striking ''under a sentence of'' in each place it appears and inserting ''sentenced to'';

(2) in subsection (a)—

(A) in paragraph (1)(B)(i), by striking ''death''; and

(B) in paragraph (3)(A), by striking ''and the applicant did not—'' and all that follows through ''knowingly fail to request'' and inserting ''and the applicant did not knowingly fail to request'';

(3) in subsection (b)(1)—

(A) in subparagraph (A), by striking ''and'' at the end;

(B) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(C) order the Government to—

''(i) prepare an inventory of the evidence related to the case; and

''(ii) issue a copy of the inventory to the court, the applicant, and the Government.'';

(4) in subsection (e)—

(A) by amending paragraph (1) to read as follows:

''(1) RESULTS.—

''(A) IN GENERAL.—The results of any DNA testing ordered under this section shall be simultaneously disclosed to the court, the applicant, and the Government.

''(B) RESULTS EXCLUDE APPLICANT.—

''(i) IN GENERAL.—If a DNA profile is obtained through testing that excludes the applicant as the source and the DNA complies with the Federal Bureau of Investigation's requirements for the uploading of crime scene profiles to the National DNA Index System (referred to in this subsection as 'NDIS'), the court shall order that the law enforcement entity with direct or conveyed statutory jurisdiction that has access to the NDIS submit the DNA profile obtained from probative biological material from crime scene evidence to determine whether the DNA profile matches a profile of a known individual or a profile from an unsolved crime.

''(ii) NDIS SEARCH.—The results of a search under clause (i) shall be simultaneously disclosed to the court, the applicant, and the Government.''; and

(B) in paragraph (2), by striking ''the National DNA Index System (referred to in this subsection as 'NDIS')'' and inserting ''NDIS''; and

(5) in subsection (g)(2)(B), by striking ''death''.

(b) PRESERVATION OF BIOLOGICAL EVIDENCE.—Section 3600A of title 18, United States Code, is amended—

(1) in subsection (a), by striking ''under a sentence of'' and inserting ''sentenced to''; and

(2) in subsection (c)—

(A) by striking paragraphs (1) and (2); and

(B) by redesignating paragraphs (3), (4), and (5) as paragraphs (1), (2), and (3), respectively.

SEC. 13. KIRK BLOODSWORTH POST-CONVICTION DNA TESTING PROGRAM.

(a) IN GENERAL.—Section 413 of the Justice for All Act of 2004 (42 U.S.C. 14136 note) is amended—

(1) in the matter preceding paragraph (1), by striking ''fiscal years 2005 through 2009'' and inserting ''fiscal years 2017 through 2021''; and

(2) by striking paragraph (2) and inserting the following:

''(2) for eligible entities that are a State or unit of local government, provide a certification by the chief legal officer of the State in which the eligible entity operates or the chief legal officer of the jurisdiction in which the funds will be used for the purposes of the grants, that the State or jurisdiction—

''(A) provides DNA testing of specified evidence under a State statute or a State or local rule or regulation to persons sentenced to imprisonment or death for a State felony offense, in a manner intended to ensure a reasonable process for resolving claims of actual innocence that ensures post-conviction DNA testing in at least those cases that would be covered by section 3600(a) of title 18, United States Code, had they been Federal cases and, if the results of the testing exclude the applicant as the source of the DNA, permits the applicant to apply for post-conviction relief, notwithstanding any provision of law that would otherwise bar the application as untimely; and

''(B) preserves biological evidence, as defined in section 3600A of title 18, United States Code, under a State statute or a State or local rule, regulation, or practice in a manner intended to ensure that reasonable measures are taken by the State or jurisdiction to preserve biological evidence secured in relation to the investigation or prosecution of, at a minimum, murder, nonnegligent manslaughter and sexual offenses.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 412(b) of the Justice for All Act of 2004 (42 U.S.C. 14136e(b)) is amended by striking ''$5,000,000 for each of fiscal years 2005 through 2009'' and inserting ''$10,000,000 for each of fiscal years 2017 through 2021''.

SEC. 14. ESTABLISHMENT OF BEST PRACTICES FOR EVIDENCE RETENTION.

(a) IN GENERAL.—Subtitle A of title IV of the Justice for All Act of 2004 (Public Law 108–405; 118 Stat. 2278) is amended by adding at the end the following:

''SEC. 414. ESTABLISHMENT OF BEST PRACTICES FOR EVIDENCE RETENTION.

''(a) IN GENERAL.—The Director of the National Institute of Justice, in consultation with Federal, State, and local law enforcement agencies and government laboratories, shall—

''(1) establish best practices for evidence retention to focus on the preservation of forensic evidence; and

''(2) assist State, local, and tribal governments in adopting and implementing the best practices established under paragraph (1).

''(b) DEADLINE.—Not later than 1 year after the date of enactment of this section, the Director of the National Institute of Justice shall publish the best practices established under subsection (a)(1).

''(c) LIMITATION.—Nothing in this section shall be construed to require or obligate compliance with the best practices established under subsection (a)(1).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Justice for All Act of 2004 (Public Law 108–405; 118 Stat. 2260) is amended by inserting after the item relating to section 413 the following:

''Sec. 414. Establishment of best practices for evidence retention.''.

SEC. 15. EFFECTIVE ADMINISTRATION OF CRIMINAL JUSTICE.

(a) SHORT TITLE.—This section may be cited as the ''Effective Administration of Criminal Justice Act of 2015''.

(b) STRATEGIC PLANNING.—Section 502 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3752) is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''To request a grant''; and

(2) by adding at the end the following:

''(6) A comprehensive Statewide plan detailing how grants received under this section will be used to improve the administration of the criminal justice system, which shall—

''(A) be designed in consultation with local governments, and representatives of all segments of the criminal justice system, including judges, prosecutors, law enforcement personnel, corrections personnel, and providers of indigent defense services, victim services, juvenile justice delinquency prevention programs, community corrections, and reentry services;

''(B) include a description of how the State will allocate funding within and among each of the uses described in subparagraphs (A) through (G) of section 501(a)(1);

''(C) describe the process used by the State for gathering evidence-based data and developing and using evidence-based and evidence-gathering approaches in support of funding decisions;

''(D) describe the barriers at the State and local level for accessing data and implementing evidence-based approaches to preventing and reducing crime and recidivism; and

''(E) be updated every 5 years, with annual progress reports that—

''(i) address changing circumstances in the State, if any;

''(ii) describe how the State plans to adjust funding within and among each of the uses described in subparagraphs (A) through (G) of section 501(a)(1);

''(iii) provide an ongoing assessment of need;

''(iv) discuss the accomplishment of goals identified in any plan previously prepared under this paragraph; and

''(v) reflect how the plan influenced funding decisions in the previous year.

''(b) TECHNICAL ASSISTANCE.—

''(1) STRATEGIC PLANNING.—Not later than 90 days after the date of enactment of this subsection, the Attorney General shall begin to provide technical assistance to States and local governments requesting support to develop and implement the strategic plan required under subsection (a)(6). *The Attorney General may enter into agreements with 1 or more non-governmental organizations to provide technical assistance and training under this paragraph.*

''(2) PROTECTION OF CONSTITUTIONAL RIGHTS.—Not later than 90 days after the date of enactment of this subsection, the Attorney General shall begin to provide technical assistance to States and local governments, including any agent thereof with responsibility for administration of justice, requesting support to meet the obligations established by the Sixth Amendment to the Constitution of the United States, which shall include—

''(A) public dissemination of practices, structures, or models for the administration of justice consistent with the requirements of the Sixth Amendment; and

''(B) assistance with adopting and implementing a system for the administration of justice consistent with the requirements of the Sixth Amendment.

''(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $5,000,000 for each of fiscal years 2017 through 2021 to carry out this subsection.''.

(c) APPLICABILITY.—The requirement to submit a strategic plan under section 501(a)(6) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as added by subsection (b), shall apply to any application submitted under such section 501 for a grant for any fiscal year beginning after the date that is 1 year after the date of enactment of this Act.

SEC. 16. OVERSIGHT AND ACCOUNTABILITY.

All grants awarded by the Department of Justice that are authorized under this Act shall be subject to the following:

(1) AUDIT REQUIREMENT.—Beginning in fiscal year 2016, and each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

(2) MANDATORY EXCLUSION.—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the 2 fiscal years beginning after the 12-month period described in paragraph (5).

(3) PRIORITY.—In awarding grants under this Act, the Attorney General shall give priority to eligible entities that, during the 3 fiscal years before submitting an application for a grant under this Act, did not have an unresolved audit finding showing a violation in the terms or conditions of a Department of Justice grant program.

(4) REIMBURSEMENT.—If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under paragraph (2), the Attorney General shall—

(A) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

(B) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

(5) DEFINED TERM.—In this section, the term ''unresolved audit finding'' means an audit report finding in the final audit report of the Inspector General of the Department of Justice that the grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within a 12-month period beginning on the date when the final audit report is issued.

(6) NONPROFIT ORGANIZATION REQUIREMENTS.—

(A) DEFINITION.—For purposes of this section and the grant programs described in this Act, the term ''nonprofit organization'' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(B) PROHIBITION.—The Attorney General shall not award a grant under any grant program described in this Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under a grant program described in this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

(7) ADMINISTRATIVE EXPENSES.—Unless otherwise explicitly provided in authorizing legislation, not more than 7.5 percent of the amounts authorized to be appropriated under this Act may be used by the Attorney General for salaries and administrative expenses of the Department of Justice.

(8) CONFERENCE EXPENDITURES.—

(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this Act may be used by the Attorney General or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than $20,000 in Department funds, unless the Deputy Attorney General or the appropriate Assistant Attorney General, Director, or principal deputy as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audio/visual equipment, honoraria for speakers, and any entertainment.

(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved by operation of this paragraph.

(9) PROHIBITION ON LOBBYING ACTIVITY.—

(A) IN GENERAL.—Amounts authorized to be appropriated under this Act may not be utilized by any grant recipient to—

(i) lobby any representative of the Department of Justice regarding the award of grant funding; or

(ii) lobby any representative of a Federal, State, local, or tribal government regarding the award of grant funding.

(B) PENALTY.—If the Attorney General determines that any recipient of a grant under this Act has violated subparagraph (A), the Attorney General shall—

(i) require the grant recipient to repay the grant in full; and

(ii) prohibit the grant recipient from receiving another grant under this Act for not less than 5 years.

SEC. 17. NEEDS ASSESSMENT OF FORENSIC LABORATORIES.

(a) STUDY AND REPORT.—Not later than October 1, 2018, the Attorney General shall conduct a study and submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on the status and needs of the forensic science community.

(b) REQUIREMENTS.—The report required under subsection (a) shall—

(1) examine the status of current workload, backlog, personnel, equipment, and equipment needs of public crime laboratories and medical examiner and coroner offices;

(2) include an overview of academic forensic science resources and needs, from a broad forensic science perspective, including nontraditional crime laboratory disciplines such as forensic anthropology, forensic entomology, and others as determined appropriate by the Attorney General;

(3) consider—

(A) the National Institute of Justice study, Forensic Sciences: Review of Status and Needs, published in 1999;

(B) the Bureau of Justice Statistics census reports on Publicly Funded Forensic Crime Laboratories, published in 2002, 2005, 2009, and 2014;

(C) the National Academy of Sciences report, Strengthening Forensic Science: A Path Forward, published in 2009; and

(D) the Bureau of Justice Statistics survey of forensic providers recommended by the National Commission of Forensic Science and approved by the Attorney General on September 8, 2014;

(4) provide Congress with a comprehensive view of the infrastructure, equipment, and personnel needs of the broad forensic science community; and

(5) be made available to the public.

[SEC. 18. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the authority of the Director of the Office of Victims of Crime under section 1404 of the Victims of Crime Act of 1984 (42 U.S.C. 10603) includes funding ongoing projects that provide services to victims of crime on a nationwide basis or Americans abroad who are victims of crimes committed outside of the United States; and

(2) the proposed rule entitled ''VOCA Victim Assistance Program'' published by the Office of Victims of Crime of the Department of Justice in the Federal Register on August 27, 2013 (78 Fed. Reg. 52877), is consistent with section 1404 of the Victims of Crime Act of 1984 (42 U.S.C. 10603).**]**

SEC. 18. CRIME VICTIM ASSISTANCE.

(a) AMENDMENT.—Section 1404(c)(1)(A) of the Victims of Crime Act of 1984 (42 U.S.C. 10603(c)(1)(A)) is amended by inserting ''victim services,'' before ''demonstration projects''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the proposed rule entitled ''VOCA Victim Assistance Program'' published by the Office of Victims of Crime of the Department of Justice in the Federal Register on August 27, 2013 (78 Fed. Reg. 52877), is consistent with section 1404 of the Victims of Crime Act of 1984 (42 U.S.C. 10603).

SEC. 19. IMPROVING THE RESTITUTION PROCESS.

Section 3612 of title 18, United States Code, is amended by adding at the end the following:

''(j) EVALUATION OF OFFICES OF THE UNITED STATES ATTORNEY AND DEPARTMENT COMPONENTS.—

''(1) IN GENERAL.—The Attorney General shall, as part of the regular evaluation process, evaluate each office of the United States attorney and each component of the Department of Justice on the performance of the office or the component, as the case may be, in seeking and recovering restitution for victims under sections 3663 and 3663A.

''(2) REQUIREMENT.—Following an evaluation under paragraph (1), each office of the United States attorney and each component of the Department of Justice shall work to improve the practices of the office or component, as the case may be, with respect to seeking and recovering restitution for victims under sections 3663 and 3663A.

''(k) GAO REPORTS.—

''(1) REPORT.—Not later than 1 year after the date of enactment of this subsection, the Comptroller General of the United States shall prepare and submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a report on restitution sought by the Attorney General under sections 3663 and 3663A during the 3-year period preceding the report.

''(2) CONTENTS.—The report required under paragraph (1) shall include statistically valid estimates of—

''(A) the number of cases in which a defendant was convicted and the Attorney General could seek restitution under this title;

''(B) the number of cases in which the Attorney General sought restitution;

''(C) of the cases in which the Attorney General sought restitution, the number of times restitution was ordered by the district courts of the United States;

''(D) the amount of restitution ordered by the district courts of the United States;

''(E) the amount of restitution collected pursuant to the restitution orders described in subparagraph (D);

''(F) the percentage of restitution orders for which the full amount of restitution has not been collected; and

''(G) any other measurement the Comptroller General determines would assist in evaluating how to improve the restitution process in Federal criminal cases.

''(3) RECOMMENDATIONS.—The report required under paragraph (1) shall include recommendations on the best practices for—

''(A) requesting restitution in cases in which restitution may be sought under sections 3663 and 3663A;

''(B) obtaining restitution orders from the district courts of the United States; and

''(C) collecting restitution ordered by the district courts of the United States.

''(4) REPORT.—Not later than 3 years after date on which the report required under paragraph (1) is submitted, the Comptroller General of the United States shall prepare and submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a report on the implementation by the Attorney General of the best practices recommended under paragraph (3).''.

Mr. CORNYN. Mr. President, I ask unanimous consent that the committee-reported amendments be agreed to, the Grassley amendment be agreed to, and the bill, as amended, be read a third time.

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

The committee-reported amendments were agreed to.

The amendment (No. 4727) was agreed to, as follows:

(Purpose: To require the Attorney General to evaluate the performance of the Department of Justice in seeking and recovering restitution for victims under all Federal restitution provisions, to require recipients of DNA backlog capacity and enhancement grants to report on how the actually used their grant funds, and to prevent duplicative grants)

On page 6, line 2, strike ''Of the amounts'' and insert ''(a) IN GENERAL.—Of the amounts''.

On page 6, between lines 21 and 22, insert the following:

(b) REPORTING.—

(1) REPORT BY GRANT RECIPIENTS.—With respect to amounts made available to the Attorney General for a DNA Analysis and capacity enhancement program and for other local, State, and Federal forensic activities under the heading ''STATE AND LOCAL LAW ENFORCEMENT'' under the heading ''OFFICE OF JUSTICE PROGRAMS'' under the heading ''DEPARTMENT OF JUSTICE'', the Attorney General shall require recipients of the amounts to report on the effectiveness of the activities carried out using the amounts, including any information the Attorney General needs in order to submit the report required under paragraph (2).

(2) REPORT TO CONGRESS.—Not later than 1 month after the last day of each even-numbered fiscal year, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes, for each recipient of amounts described in paragraph (1)—

(A) the amounts distributed to the recipient;

(B) a summary of the purposes for which the amounts were used and an evaluation of the progress of the recipient in achieving those purposes;

(C) a statistical summary of the crime scene samples and arrestee or offender samples submitted to laboratories, the average time between the submission of a sample to a laboratory and the testing of the sample, and the percentage of the amounts that were paid to private laboratories; and

(D) an evaluation of the effectiveness of the grant amounts in increasing capacity and reducing backlogs.

On page 37, between lines 21 and 22, insert the following:

(10) PREVENTING DUPLICATIVE GRANTS.—

(A) IN GENERAL.—Before the Attorney General awards a grant to an applicant under this Act, the Attorney General shall compare potential grant awards with other grants awarded under this Act to determine whether duplicate grants are awarded for the same purpose.

(B) REPORT.—If the Attorney General awards duplicate grants to the same applicant for the same purpose, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes—

(i) a list of all duplicate grants awarded, including the total dollar amount of any duplicate grants awarded; and

(ii) the reason the Attorney General awarded the duplicate grants.

On page 40, line 25, strike ''sections 3663 and 3663A'' and insert ''each provision of this title and the Controlled Substances Act (21 U.S.C. 801 et seq.) that authorizes restitution''.

On page 41, line 7, strike ''sections 3663 and 3663A'' and insert ''each provision of this title and the Controlled Substances Act (21 U.S.C. 801 et seq.) that authorizes restitution''.

On page 41, line 15, strike ''sections 3663 and 3663A'' and insert ''each provision of this title and the Controlled Substances Act (21 U.S.C. 801 et seq.) that authorizes restitution''.

On page 41, line 22, insert ''or the Controlled Substances Act (21 U.S.C. 801 et seq.)'' after ''this title''.

On page 42, lines 21 and 22, strike ''sections 3663 and 3663A'' and insert ''each provision of this title and the Controlled Substances Act (21 U.S.C. 801 et seq.) that authorizes restitution''.

On page 43, line 3, insert ''the'' before ''date''.

The bill was engrossed for a third reading and was read the third time.

Mr. CORNYN. Mr. President, I know of no further debate on this measure.

The PRESIDING OFFICER. Hearing no further debate, the bill having been read the third time, the question is, Shall it pass?

The bill (S. 2577), as amended, was passed, as follows:

S. 2577

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Justice for All Reauthorization Act of 2016''.

SEC. 2. CRIME VICTIMS' RIGHTS.

(a) RESTITUTION DURING SUPERVISED RELEASE.—Section 3583(d) of title 18, United States Code, is amended in the first sentence by inserting '', that the defendant make restitution in accordance with sections 3663 and 3663A, or any other statute authorizing a sentence of restitution,'' after ''supervision''.

(b) COLLECTION OF RESTITUTION FROM DEFENDANT'S ESTATE.—Section 3613(b) of title 18, United States Code, is amended by adding at the end the following: ''The liability to pay restitution shall terminate on the date that is the later of 20 years from the entry of judgment or 20 years after the release from imprisonment of the person ordered to pay restitution. In the event of the death of the person ordered to pay restitution, the individual's estate will be held responsible for any unpaid balance of the restitution amount, and the lien provided in subsection (c) of this section shall continue until the estate receives a written release of that liability.''.

(c) VICTIM INTERPRETERS.—Rule 28 of the Federal Rules of Criminal Procedure is amended in the first sentence by inserting before the period at the end the following: '', including an interpreter for the victim''.

(d) GAO STUDY.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall—

(A) conduct a study to determine whether enhancing the restitution provisions under sections 3663 and 3663A of title 18, United States Code, to provide courts broader authority to award restitution for Federal offenses would be beneficial to crime victims and what other factors Congress should consider in weighing such changes; and

(B) submit to Congress a report on the study conducted under subparagraph (A).

(2) CONTENTS.—In conducting the study under paragraph (1), the Comptroller General shall focus on the benefits to crime victims that would result if the restitution provisions under sections 3663 and 3663A of title 18, United States Code, were expanded—

(A) to apply to victims who have suffered harm, injury, or loss that would not have occurred but for the defendant's related conduct;

(B) in the case of an offense resulting in bodily injury resulting in the victim's death, to allow the court to use its discretion to award an appropriate sum to reflect the income lost by the victim's surviving family members or estate as a result of the victim's death;

(C) to require that the defendant pay to the victim an amount determined by the court to restore the victim to the position he or she would have been in had the defendant not committed the offense; and

(D) to require that the defendant compensate the victim for any injury, harm, or loss, including emotional distress, that occurred as a result of the offense.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS FOR GRANTS FOR CRIME VICTIMS.

(a) CRIME VICTIMS LEGAL ASSISTANCE GRANTS.—Section 103(b) of the Justice for All Act of 2004 (Public Law 108–405; 118 Stat. 2264) is amended—

(1) in paragraph (1), by striking ''2006, 2007, 2008, and 2009'' and inserting ''2017 through 2021'';

(2) in paragraph (2), by striking ''2006, 2007, 2008, and 2009'' and inserting ''2017 through 2021'';

(3) in paragraph (3), by striking ''2006, 2007, 2008, and 2009'' and inserting ''2017 through 2021'';

(4) in paragraph (4), by striking ''2006, 2007, 2008, and 2009'' and inserting ''2017 through 2021''; and

(5) in paragraph (5), by striking ''2006, 2007, 2008, and 2009'' and inserting ''2017 through 2021''.

(b) CRIME VICTIMS NOTIFICATION GRANTS.—Section 1404E(c) of the Victims of Crime Act of 1984 (42 U.S.C. 10603e(c)) is amended by striking ''2006, 2007, 2008, and 2009'' and inserting ''2017 through 2021''.

SEC. 4. REDUCING THE RAPE KIT BACKLOG.

(a) IN GENERAL.—Of the amounts made available to the Attorney General for a DNA Analysis and capacity enhancement program and for other local, State, and Federal forensic activities under the heading ''STATE AND LOCAL LAW ENFORCEMENT'' under the heading ''OFFICE OF JUSTICE PROGRAMS'' under the heading ''DEPARTMENT OF JUSTICE'' in a fiscal year—

(1) not less than 75 percent of such amounts shall be provided for grants for direct testing activities described under paragraphs (1), (2), and (3) of section 2(a) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(a)); and

(2) not less than 5 percent of such amounts shall be provided for grants for law enforcement agencies to conduct audits of their backlogged rape kits, including through the creation of a tracking system, under section 2(a)(7) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(a)(7)), and to prioritize testing in those cases in which the statute of limitation will soon expire.

(b) REPORTING.—

(1) REPORT BY GRANT RECIPIENTS.—With respect to amounts made available to the Attorney General for a DNA Analysis and capacity enhancement program and for other local, State, and Federal forensic activities under the heading ''STATE AND LOCAL LAW ENFORCEMENT'' under the heading ''OFFICE OF JUSTICE PROGRAMS'' under the heading ''DEPARTMENT OF JUSTICE'', the Attorney General shall require recipients of the amounts to report on the effectiveness of the activities carried out using the amounts, including any information the Attorney General needs in order to submit the report required under paragraph (2).

(2) REPORT TO CONGRESS.—Not later than 1 month after the last day of each even-numbered fiscal year, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes, for each recipient of amounts described in paragraph (1)—

(A) the amounts distributed to the recipient;

(B) a summary of the purposes for which the amounts were used and an evaluation of the progress of the recipient in achieving those purposes;

(C) a statistical summary of the crime scene samples and arrestee or offender samples submitted to laboratories, the average time between the submission of a sample to a laboratory and the testing of the sample, and the percentage of the amounts that were paid to private laboratories; and

(D) an evaluation of the effectiveness of the grant amounts in increasing capacity and reducing backlogs.

SEC. 5. SEXUAL ASSAULT NURSE EXAMINERS.

Section 304 of the DNA Sexual Assault Justice Act of 2004 (42 U.S.C. 14136a) is amended—

(1) by redesignating subsection (c) as subsection (d); and

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

''(c) PREFERENCE.—

''(1) IN GENERAL.—In reviewing applications submitted in accordance with a program authorized, in whole or in part, by this section, the Attorney General shall give preference to any eligible entity that certifies that the entity will use the grant funds to—

''(A) operate or expand forensic nurse examiner programs in a rural area or for an underserved population, as those terms are defined in section 4002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925);

''(B) hire full-time forensic nurse examiners to conduct activities under subsection (a); or

''(C) sustain or establish a training program for forensic nurse examiners.

''(2) DIRECTIVE TO THE ATTORNEY GENERAL.—Not later than 120 days after the date of enactment of the Justice for All Reauthorization Act of 2016, the Attorney General shall coordinate with the Secretary of Health and Human Services to inform Federally Qualified Health Centers, Community Health Centers, hospitals, colleges and universities, and other appropriate health-related entities about the role of forensic nurses and existing resources available within the Department of Justice and the Department of Health and Human Services to train or employ forensic nurses to address the needs of communities dealing with sexual assault, domestic violence, and elder abuse. The Attorney General shall collaborate on this effort with nongovernmental organizations representing forensic nurses.''.

SEC. 6. PROTECTING THE VIOLENCE AGAINST WOMEN ACT.

Section 8(e)(1)(A) of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15607(e)(1)(A)) is amended—

(1) in clause (i), by striking ''and'' at the end;

(2) in clause (ii), by striking the period and inserting ''; and''; and

(3) by inserting at the end the following:

''(iii) the program is not administered by the Office on Violence Against Women of the Department of Justice.''.

SEC. 7. CLARIFICATION OF VIOLENCE AGAINST WOMEN ACT HOUSING PROTECTIONS.

Section 41411(b)(3)(B)(ii) of the Violence Against Women Act of 1994 (42 U.S.C. 14043e–11(b)(3)(B)(ii)) is amended—

(1) in the first sentence, by inserting ''or resident'' after ''any remaining tenant''; and

(2) in the second sentence, by inserting ''or resident'' after ''tenant'' each place it appears.

SEC. 8. STRENGTHENING THE PRISON RAPE ELIMINATION ACT.

The Prison Rape Elimination Act of 2003 (42 U.S.C. 15601 et seq.) is amended—

(1) in section 6(d)(2) (42 U.S.C. 15605(d)(2)), by striking subparagraph (A) and inserting the following:

''(A)(i) include the certification of the chief executive that the State receiving such grant has adopted all national prison rape standards that, as of the date on which the application was submitted, have been promulgated under this Act; or

''(ii) demonstrate to the Attorney General, in such manner as the Attorney General shall require, that the State receiving such grant is actively working to adopt and achieve full compliance with the national prison rape standards described in clause (i);''; and

(2) in section 8(e) (42 U.S.C. 15607(e))—

(A) by striking paragraph (2) and inserting the following:

''(2) ADOPTION OF NATIONAL STANDARDS.—

''(A) IN GENERAL.—For each fiscal year, any amount that a State would otherwise receive for prison purposes for that fiscal year under a grant program covered by this subsection shall be reduced by 5 percent, unless the chief executive officer of the State submits to the Attorney General proof of compliance with this Act through—

''(i) a certification that the State has adopted, and is in full compliance with, the national standards described in subsection (a); or

''(ii) an assurance that the State intends to adopt and achieve full compliance with those national standards so as to ensure that a certification under clause (i) may be submitted in future years, which includes—

''(I) a commitment that not less than 5 percent of such amount shall be used for this purpose; or

''(II) a request that the Attorney General hold 5 percent of such amount in abeyance pursuant to the requirements of subparagraph (E).

''(B) RULES FOR CERTIFICATION.—

''(i) IN GENERAL.—A chief executive officer of a State who submits a certification under this paragraph shall also provide the Attorney General with—

''(I) a list of the prisons under the operational control of the executive branch of the State;

''(II) a list of the prisons listed under subclause (I) that were audited during the most recently concluded audit year;

''(III) all final audit reports for prisons listed under subclause (I) that were completed during the most recently concluded audit year; and

''(IV) a proposed schedule for completing an audit of all the prisons listed under subclause (I) during the following 3 audit years.

''(ii) AUDIT APPEAL EXCEPTION.—Beginning on the date that is 3 years after the date of enactment of the Justice for All Reauthorization Act of 2016, a chief executive officer of a State may submit a certification that the State is in full compliance pursuant to subparagraph (A)(i) even if a prison under the operational control of the executive branch of the State has an audit appeal pending.

''(C) RULES FOR ASSURANCES.—

''(i) IN GENERAL.—A chief executive officer of a State who submits an assurance under subparagraph (A)(ii) shall also provide the Attorney General with—

''(I) a list of the prisons under the operational control of the executive branch of the State;

''(II) a list of the prisons listed under subclause (I) that were audited during the most recently concluded audit year;

''(III) an explanation of any barriers the State faces to completing required audits;

''(IV) all final audit reports for prisons listed under subclause (I) that were completed during the most recently concluded audit year;

''(V) a proposed schedule for completing an audit of all prisons under the operational control of the executive branch of the State during the following 3 audit years; and

''(VI) an explanation of the State's current degree of implementation of the national standards.

''(ii) ADDITIONAL REQUIREMENT.—A chief executive officer of a State who submits an assurance under subparagraph (A)(ii)(I) shall, before receiving the applicable funds described in subparagraph (A)(ii)(I), also provide the Attorney General with a proposed plan for the expenditure of the funds during the applicable grant period.

''(iii) ACCOUNTING OF FUNDS.—A chief executive officer of a State who submits an assurance under subparagraph (A)(ii)(I) shall, in a manner consistent with the applicable grant reporting requirements, submit to the Attorney General a detailed accounting of how the funds described in subparagraph (A) were used.

''(D) SUNSET OF ASSURANCE OPTION.—

''(i) IN GENERAL.—On the date that is 3 years after the date of enactment of the Justice for All Reauthorization Act of 2016, subclause (II) of subparagraph (A)(ii) shall cease to have effect.

''(ii) ADDITIONAL SUNSET.—On the date that is 6 years after the date of enactment of the Justice for All Reauthorization Act of 2016, clause (ii) of subparagraph (A) shall cease to have effect.

''(iii) EMERGENCY ASSURANCES.—

''(I) REQUEST.—Notwithstanding clause (ii), during the 2-year period beginning 6 years after the date of enactment of the Justice for All Reauthorization Act of 2016, a chief executive officer of a State who certifies that the State has audited not less than 90 percent of prisons under the operational control of the executive branch of the State may request that the Attorney General allow the chief executive officer to submit an emergency assurance in accordance with subparagraph (A)(ii) as in effect on the day before the date on which that subparagraph ceased to have effect under clause (ii) of this subparagraph.

''(II) GRANT OF REQUEST.—The Attorney General shall grant a request submitted under subclause (I) within 60 days upon a showing of good cause.

''(E) DISPOSITION OF FUNDS HELD IN ABEYANCE.—

''(i) IN GENERAL.—If the chief executive officer of a State who has submitted an assurance under subparagraph (A)(ii)(II) subsequently submits a certification under subparagraph (A)(i) during the 3-year period beginning on the date of enactment of the Justice for All Reauthorization Act of 2016, the Attorney General will release all funds held in abeyance under subparagraph (A)(ii)(II) to be used by the State in accordance with the conditions of the grant program for which the funds were provided.

''(ii) RELEASE OF FUNDS.—If the chief executive officer of a State who has submitted an assurance under subparagraph (A)(ii)(II) is unable to submit a certification during the 3-year period beginning on the date of enactment of the Justice for All Reauthorization Act of 2016, but does assure the Attorney General that ⅔ of prisons under the operational control of the executive branch of the State have been audited at least once, the Attorney General shall release all of the funds of the State held in abeyance to be used in adopting and achieving full compliance with the national standards, if the State agrees to comply with the applicable requirements in clauses (ii) and (iii) of subparagraph (C).

''(iii) REDISTRIBUTION OF FUNDS.—If the chief executive officer of a State who has submitted an assurance under subparagraph (A)(ii)(II) is unable to submit a certification during the 3-year period beginning on the date of enactment of the Justice for All Reauthorization Act of 2016 and does not assure the Attorney General that ⅔ of prisons under the operational control of the executive branch of the State have been audited at least once, the Attorney General shall redistribute the funds of the State held in abeyance to other States to be used in accordance with the conditions of the grant program for which the funds were provided.

''(F) PUBLICATION OF AUDIT RESULTS.—Not later than 1 year after the date of enactment of the Justice for All Reauthorization Act of 2016, the Attorney General shall request from each State, and make available on an appropriate Internet website, all final audit reports completed to date for prisons under the operational control of the executive branch of each State. The Attorney General shall update such website annually with reports received from States under subparagraphs (B)(i) and (C)(i).

''(G) REPORT ON IMPLEMENTATION OF NATIONAL STANDARDS.—Not later than 2 years after the date of enactment of the Justice for All Reauthorization Act of 2016, the Attorney General shall issue a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on the status of implementation of the national standards and the steps the Department, in conjunction with the States and other key stakeholders, is taking to address any unresolved implementation issues.''; and

(B) by adding at the end the following:

''(8) BACKGROUND CHECKS FOR AUDITORS.—An individual seeking certification by the Department of Justice to serve as an auditor of prison compliance with the national standards described in subsection (a) shall, upon request, submit fingerprints in the manner determined by the Attorney General for criminal history record checks of the applicable State and Federal Bureau of Investigation repositories.''.

SEC. 9. ADDITIONAL REAUTHORIZATIONS.

(a) DNA RESEARCH AND DEVELOPMENT.—Section 305(c) of the Justice for All Act of 2004 (42 U.S.C. 14136b(c)) is amended by striking ''$15,000,000 for each of fiscal years 2005 through 2009'' and inserting ''$5,000,000 for each of fiscal years 2017 through 2021''.

(b) FBI DNA PROGRAMS.—Section 307(a) of the Justice for All Act of 2004 (Public Law 108–405; 118 Stat. 2275) is amended by striking ''$42,100,000 for each of fiscal years 2005 through 2009'' and inserting ''$10,000,000 for each of fiscal years 2017 through 2021''.

(c) DNA IDENTIFICATION OF MISSING PERSONS.—Section 308(c) of the Justice for All Act of 2004 (42 U.S.C. 14136d(c)) is amended by striking ''fiscal years 2005 through 2009'' and inserting ''fiscal years 2017 through 2021''.

SEC. 10. PAUL COVERDELL FORENSIC SCIENCES IMPROVEMENT GRANTS.

(a) GRANTS.—Part BB of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797j) is amended—

(1) in section 2802(2) (42 U.S.C. 3797k(2)), by inserting after ''bodies'' the following: ''and is accredited by an accrediting body that is a signatory to an internationally recognized arrangement and that offers accreditation to forensic science conformity assessment bodies using an accreditation standard that is recognized by that internationally recognized arrangement, or attests, in a manner that is legally binding and enforceable, to use a portion of the grant amount to prepare and apply for such accreditation not more than 2 years after the date on which a grant is awarded under section 2801'';

(2) in section 2803(a) (42 U.S.C. 3797l(a))—

(A) in paragraph (1)—

(i) by striking ''Seventy-five percent'' and inserting ''Eighty-five percent''; and

(ii) by striking ''75 percent'' and inserting ''85 percent'';

(B) in paragraph (2), by striking ''Twenty-five percent'' and inserting ''Fifteen percent''; and

(C) in paragraph (3), by striking ''0.6 percent'' and inserting ''1 percent'';

(3) in section 2804(a) (42 U.S.C. 3797m(a))—

(A) in paragraph (2)—

(i) by inserting ''impression evidence,'' after ''latent prints,''; and

(ii) by inserting ''digital evidence, fire evidence,'' after ''toxicology,'';

(B) in paragraph (3), by inserting ''and medicolegal death investigators'' after ''laboratory personnel''; and

(C) by inserting at the end the following:

''(4) To address emerging forensic science issues (such as statistics, contextual bias,

and uncertainty of measurement) and emerging forensic science technology (such as high throughput automation, statistical software, and new types of instrumentation).

''(5) To educate and train forensic pathologists in the United States.

''(6) To work with the States and units of local government to direct funding to medicolegal death investigation systems to facilitate accreditation of medical examiner and coroner offices and certification of medicolegal death investigators.''; and

(4) in section 2806(a) (42 U.S.C. 3797o(a))—

(A) in paragraph (3), by striking ''and'' at the end;

(B) by redesignating paragraph (4) as paragraph (5); and

(C) by inserting after paragraph (3) the following:

''(4) the progress of any unaccredited forensic science service provider receiving grant funds toward obtaining accreditation; and''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a)(24) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(24)) is amended—

(1) in subparagraph (H), by striking ''and'' at the end;

(2) in subparagraph (I), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(J) $25,000,000 for each of fiscal years 2017 through 2021.''.

SEC. 11. IMPROVING THE QUALITY OF REPRESENTATION IN STATE CAPITAL CASES.

Section 426 of the Justice for All Act of 2004 (42 U.S.C. 14163e) is amended—

(1) in subsection (a), by striking ''$75,000,000 for each of fiscal years 2005 through 2009'' and inserting ''$30,000,000 for each of fiscal years 2017 through 2021''; and

(2) in subsection (b), by inserting before the period at the end the following: '', or upon a showing of good cause, and at the discretion of the Attorney General, the State may determine a fair allocation of funds across the uses described in sections 421 and 422''.

SEC. 12. POST-CONVICTION DNA TESTING.

(a) IN GENERAL.—Section 3600 of title 18, United States Code, is amended—

(1) by striking ''under a sentence of'' in each place it appears and inserting ''sentenced to'';

(2) in subsection (a)—

(A) in paragraph (1)(B)(i), by striking ''death''; and

(B) in paragraph (3)(A), by striking ''and the applicant did not—'' and all that follows through ''knowingly fail to request'' and inserting ''and the applicant did not knowingly fail to request'';

(3) in subsection (b)(1)—

(A) in subparagraph (A), by striking ''and'' at the end;

(B) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(C) order the Government to—

''(i) prepare an inventory of the evidence related to the case; and

''(ii) issue a copy of the inventory to the court, the applicant, and the Government.'';

(4) in subsection (e)—

(A) by amending paragraph (1) to read as follows:

''(1) RESULTS.—

''(A) IN GENERAL.—The results of any DNA testing ordered under this section shall be simultaneously disclosed to the court, the applicant, and the Government.

''(B) RESULTS EXCLUDE APPLICANT.—

''(i) IN GENERAL.—If a DNA profile is obtained through testing that excludes the applicant as the source and the DNA complies with the Federal Bureau of Investigation's requirements for the uploading of crime scene profiles to the National DNA Index System (referred to in this subsection as 'NDIS'), the court shall order that the law enforcement entity with direct or conveyed statutory jurisdiction that has access to the NDIS submit the DNA profile obtained from probative biological material from crime scene evidence to determine whether the DNA profile matches a profile of a known individual or a profile from an unsolved crime.

''(ii) NDIS SEARCH.—The results of a search under clause (i) shall be simultaneously disclosed to the court, the applicant, and the Government.''; and

(B) in paragraph (2), by striking ''the National DNA Index System (referred to in this subsection as 'NDIS')'' and inserting ''NDIS''; and

(5) in subsection (g)(2)(B), by striking ''death''.

(b) PRESERVATION OF BIOLOGICAL EVIDENCE.—Section 3600A of title 18, United States Code, is amended—

(1) in subsection (a), by striking ''under a sentence of'' and inserting ''sentenced to''; and

(2) in subsection (c)—

(A) by striking paragraphs (1) and (2); and

(B) by redesignating paragraphs (3), (4), and (5) as paragraphs (1), (2), and (3), respectively.

SEC. 13. KIRK BLOODSWORTH POST-CONVICTION DNA TESTING PROGRAM.

(a) IN GENERAL.—Section 413 of the Justice for All Act of 2004 (42 U.S.C. 14136 note) is amended—

(1) in the matter preceding paragraph (1), by striking ''fiscal years 2005 through 2009'' and inserting ''fiscal years 2017 through 2021''; and

(2) by striking paragraph (2) and inserting the following:

''(2) for eligible entities that are a State or unit of local government, provide a certification by the chief legal officer of the State in which the eligible entity operates or the chief legal officer of the jurisdiction in which the funds will be used for the purposes of the grants, that the State or jurisdiction—

''(A) provides DNA testing of specified evidence under a State statute or a State or local rule or regulation to persons sentenced to imprisonment or death for a State felony offense, in a manner intended to ensure a reasonable process for resolving claims of actual innocence that ensures post-conviction DNA testing in at least those cases that would be covered by section 3600(a) of title 18, United States Code, had they been Federal cases and, if the results of the testing exclude the applicant as the source of the DNA, permits the applicant to apply for post-conviction relief, notwithstanding any provision of law that would otherwise bar the application as untimely; and

''(B) preserves biological evidence, as defined in section 3600A of title 18, United States Code, under a State statute or a State or local rule, regulation, or practice in a manner intended to ensure that reasonable measures are taken by the State or jurisdiction to preserve biological evidence secured in relation to the investigation or prosecution of, at a minimum, murder, nonnegligent manslaughter and sexual offenses.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 412(b) of the Justice for All Act of 2004 (42 U.S.C. 14136e(b)) is amended by striking ''$5,000,000 for each of fiscal years 2005 through 2009'' and inserting ''$10,000,000 for each of fiscal years 2017 through 2021''.

SEC. 14. ESTABLISHMENT OF BEST PRACTICES FOR EVIDENCE RETENTION.

(a) IN GENERAL.—Subtitle A of title IV of the Justice for All Act of 2004 (Public Law 108–405; 118 Stat. 2278) is amended by adding at the end the following:

''SEC. 414. ESTABLISHMENT OF BEST PRACTICES FOR EVIDENCE RETENTION.

''(a) IN GENERAL.—The Director of the National Institute of Justice, in consultation with Federal, State, and local law enforcement agencies and government laboratories, shall—

''(1) establish best practices for evidence retention to focus on the preservation of forensic evidence; and

''(2) assist State, local, and tribal governments in adopting and implementing the best practices established under paragraph (1).

''(b) DEADLINE.—Not later than 1 year after the date of enactment of this section, the Director of the National Institute of Justice shall publish the best practices established under subsection (a)(1).

''(c) LIMITATION.—Nothing in this section shall be construed to require or obligate compliance with the best practices established under subsection (a)(1).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Justice for All Act of 2004 (Public Law 108–405; 118 Stat. 2260) is amended by inserting after the item relating to section 413 the following:

''Sec. 414. Establishment of best practices for evidence retention.''.

SEC. 15. EFFECTIVE ADMINISTRATION OF CRIMINAL JUSTICE.

(a) SHORT TITLE.—This section may be cited as the ''Effective Administration of Criminal Justice Act of 2015''.

(b) STRATEGIC PLANNING.—Section 502 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3752) is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''To request a grant''; and

(2) by adding at the end the following:

''(6) A comprehensive Statewide plan detailing how grants received under this section will be used to improve the administration of the criminal justice system, which shall—

''(A) be designed in consultation with local governments, and representatives of all segments of the criminal justice system, including judges, prosecutors, law enforcement personnel, corrections personnel, and providers of indigent defense services, victim services, juvenile justice delinquency prevention programs, community corrections, and reentry services;

''(B) include a description of how the State will allocate funding within and among each of the uses described in subparagraphs (A) through (G) of section 501(a)(1);

''(C) describe the process used by the State for gathering evidence-based data and developing and using evidence-based and evidence-gathering approaches in support of funding decisions;

''(D) describe the barriers at the State and local level for accessing data and implementing evidence-based approaches to preventing and reducing crime and recidivism; and

''(E) be updated every 5 years, with annual progress reports that—

''(i) address changing circumstances in the State, if any;

''(ii) describe how the State plans to adjust funding within and among each of the uses described in subparagraphs (A) through (G) of section 501(a)(1);

''(iii) provide an ongoing assessment of need;

''(iv) discuss the accomplishment of goals identified in any plan previously prepared under this paragraph; and

''(v) reflect how the plan influenced funding decisions in the previous year.

''(b) TECHNICAL ASSISTANCE.—

''(1) STRATEGIC PLANNING.—Not later than 90 days after the date of enactment of this subsection, the Attorney General shall begin to provide technical assistance to States and local governments requesting support to develop and implement the strategic plan required under subsection (a)(6). The Attorney General may enter into agreements with 1 or more non-governmental organizations to provide technical assistance and training under this paragraph.

''(2) PROTECTION OF CONSTITUTIONAL RIGHTS.—Not later than 90 days after the date of enactment of this subsection, the Attorney General shall begin to provide technical assistance to States and local governments, including any agent thereof with responsibility for administration of justice, requesting support to meet the obligations established by the Sixth Amendment to the Constitution of the United States, which shall include—

''(A) public dissemination of practices, structures, or models for the administration of justice consistent with the requirements of the Sixth Amendment; and

''(B) assistance with adopting and implementing a system for the administration of justice consistent with the requirements of the Sixth Amendment.

''(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $5,000,000 for each of fiscal years 2017 through 2021 to carry out this subsection.''.

(c) APPLICABILITY.—The requirement to submit a strategic plan under section 501(a)(6) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as added by subsection (b), shall apply to any application submitted under such section 501 for a grant for any fiscal year beginning after the date that is 1 year after the date of enactment of this Act.

SEC. 16. OVERSIGHT AND ACCOUNTABILITY.

All grants awarded by the Department of Justice that are authorized under this Act shall be subject to the following:

(1) AUDIT REQUIREMENT.—Beginning in fiscal year 2016, and each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

(2) MANDATORY EXCLUSION.—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the 2 fiscal years beginning after the 12-month period described in paragraph (5).

(3) PRIORITY.—In awarding grants under this Act, the Attorney General shall give priority to eligible entities that, during the 3 fiscal years before submitting an application for a grant under this Act, did not have an unresolved audit finding showing a violation in the terms or conditions of a Department of Justice grant program.

(4) REIMBURSEMENT.—If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under paragraph (2), the Attorney General shall—

(A) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

(B) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

(5) DEFINED TERM.—In this section, the term ''unresolved audit finding'' means an audit report finding in the final audit report of the Inspector General of the Department of Justice that the grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within a 12-month period beginning on the date when the final audit report is issued.

(6) NONPROFIT ORGANIZATION REQUIREMENTS.—

(A) DEFINITION.—For purposes of this section and the grant programs described in this Act, the term ''nonprofit organization'' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(B) PROHIBITION.—The Attorney General shall not award a grant under any grant program described in this Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

(C) DISCLOSURE.—Each nonprofit organization that is awarded a grant under a grant program described in this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

(7) ADMINISTRATIVE EXPENSES.—Unless otherwise explicitly provided in authorizing legislation, not more than 7.5 percent of the amounts authorized to be appropriated under this Act may be used by the Attorney General for salaries and administrative expenses of the Department of Justice.

(8) CONFERENCE EXPENDITURES.—

(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this Act may be used by the Attorney General or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than $20,000 in Department funds, unless the Deputy Attorney General or the appropriate Assistant Attorney General, Director, or principal deputy as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audio/visual equipment, honoraria for speakers, and any entertainment.

(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved by operation of this paragraph.

(9) PROHIBITION ON LOBBYING ACTIVITY.—

(A) IN GENERAL.—Amounts authorized to be appropriated under this Act may not be utilized by any grant recipient to—

(i) lobby any representative of the Department of Justice regarding the award of grant funding; or

(ii) lobby any representative of a Federal, State, local, or tribal government regarding the award of grant funding.

(B) PENALTY.—If the Attorney General determines that any recipient of a grant under this Act has violated subparagraph (A), the Attorney General shall—

(i) require the grant recipient to repay the grant in full; and

(ii) prohibit the grant recipient from receiving another grant under this Act for not less than 5 years.

(10) PREVENTING DUPLICATIVE GRANTS.—

(A) IN GENERAL.—Before the Attorney General awards a grant to an applicant under this Act, the Attorney General shall compare potential grant awards with other grants awarded under this Act to determine whether duplicate grants are awarded for the same purpose.

(B) REPORT.—If the Attorney General awards duplicate grants to the same applicant for the same purpose, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes—

(i) a list of all duplicate grants awarded, including the total dollar amount of any duplicate grants awarded; and

(ii) the reason the Attorney General awarded the duplicate grants.

SEC. 17. NEEDS ASSESSMENT OF FORENSIC LABORATORIES.

(a) STUDY AND REPORT.—Not later than October 1, 2018, the Attorney General shall conduct a study and submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on the status and needs of the forensic science community.

(b) REQUIREMENTS.—The report required under subsection (a) shall—

(1) examine the status of current workload, backlog, personnel, equipment, and equipment needs of public crime laboratories and medical examiner and coroner offices;

(2) include an overview of academic forensic science resources and needs, from a broad forensic science perspective, including nontraditional crime laboratory disciplines such as forensic anthropology, forensic entomology, and others as determined appropriate by the Attorney General;

(3) consider—

(A) the National Institute of Justice study, Forensic Sciences: Review of Status and Needs, published in 1999;

(B) the Bureau of Justice Statistics census reports on Publicly Funded Forensic Crime Laboratories, published in 2002, 2005, 2009, and 2014;

(C) the National Academy of Sciences report, Strengthening Forensic Science: A Path Forward, published in 2009; and

(D) the Bureau of Justice Statistics survey of forensic providers recommended by the National Commission of Forensic Science and approved by the Attorney General on September 8, 2014;

(4) provide Congress with a comprehensive view of the infrastructure, equipment, and personnel needs of the broad forensic science community; and

(5) be made available to the public.

SEC. 18. CRIME VICTIM ASSISTANCE.

(a) AMENDMENT.—Section 1404(c)(1)(A) of the Victims of Crime Act of 1984 (42 U.S.C. 10603(c)(1)(A)) is amended by inserting ''victim services,'' before ''demonstration projects''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the proposed rule entitled ''VOCA Victim Assistance Program'' published by the Office of Victims of Crime of the Department of Justice in the Federal Register on August 27, 2013 (78 Fed. Reg. 52877), is consistent with section 1404 of the Victims of Crime Act of 1984 (42 U.S.C. 10603).

SEC. 19. IMPROVING THE RESTITUTION PROCESS.

Section 3612 of title 18, United States Code, is amended by adding at the end the following:

''(j) EVALUATION OF OFFICES OF THE UNITED STATES ATTORNEY AND DEPARTMENT COMPONENTS.—

''(1) IN GENERAL.—The Attorney General shall, as part of the regular evaluation process, evaluate each office of the United States attorney and each component of the Department of Justice on the performance of the office or the component, as the case may be, in seeking and recovering restitution for victims under each provision of this title and the Controlled Substances Act (21 U.S.C. 801 et seq.) that authorizes restitution.

''(2) REQUIREMENT.—Following an evaluation under paragraph (1), each office of the United States attorney and each component of the Department of Justice shall work to improve the practices of the office or component, as the case may be, with respect to seeking and recovering restitution for victims under each provision of this title and the Controlled Substances Act (21 U.S.C. 801 et seq.) that authorizes restitution.

''(k) GAO REPORTS.—

''(1) REPORT.—Not later than 1 year after the date of enactment of this subsection, the Comptroller General of the United States shall prepare and submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a report on restitution sought by the Attorney General under each provision of this title and the Controlled Substances Act (21 U.S.C. 801 et seq.) that authorizes restitution during the 3-year period preceding the report.

''(2) CONTENTS.—The report required under paragraph (1) shall include statistically valid estimates of—

''(A) the number of cases in which a defendant was convicted and the Attorney General could seek restitution under this title or the Controlled Substances Act (21 U.S.C. 801 et seq.);

''(B) the number of cases in which the Attorney General sought restitution;

''(C) of the cases in which the Attorney General sought restitution, the number of times restitution was ordered by the district courts of the United States;

''(D) the amount of restitution ordered by the district courts of the United States;

''(E) the amount of restitution collected pursuant to the restitution orders described in subparagraph (D);

''(F) the percentage of restitution orders for which the full amount of restitution has not been collected; and

''(G) any other measurement the Comptroller General determines would assist in evaluating how to improve the restitution process in Federal criminal cases.

''(3) RECOMMENDATIONS.—The report required under paragraph (1) shall include recommendations on the best practices for—

''(A) requesting restitution in cases in which restitution may be sought under each provision of this title and the Controlled Substances Act (21 U.S.C. 801 et seq.) that authorizes restitution;

''(B) obtaining restitution orders from the district courts of the United States; and

''(C) collecting restitution ordered by the district courts of the United States.

''(4) REPORT.—Not later than 3 years after the date on which the report required under paragraph (1) is submitted, the Comptroller General of the United States shall prepare and submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a report on the implementation by the Attorney General of the best practices recommended under paragraph (3).''.

Mr. CORNYN. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

Mr. CORNYN. Mr. President, by way of explanation, that final piece of legislation represents the passage of the Justice for All Reauthorization Act. This is legislation the Judiciary Committee has considered, as the Presiding Officer knows, which Senator PAT LEAHY, the ranking member, and I have been working on for some time.

It would improve victims' rights by increasing access to restitution and reauthorize programs that support crime victims in court, and it would increase resources for forensic labs to reduce the rape kit backlog. That last measure is something that has been a concern of mine for a number of years. Congress has appropriated a significant amount of money, under the Debbie Smith Act, to test forensic evidence in rape kits to identify the offenders in sexual assault cases. Unfortunately, over time, more and more of that money had been used for administrative and not testing purposes. If reports are to be believed, as many as 400,000 untested rape kits either sat in evidence lockers or in labs untested, thus denying those victims, whom those kits represent, resolution of their issues of closing the circle on their grief. We need to also make sure we have done everything we can in keeping our commitment to pursue the offender who has committed those sexual assaults.

Since my days as attorney general of Texas, protecting the rights of crime victims has been close to my heart, but I know we always worry about whether there is enough money to be able to adequately fund law enforcement. We have also previously—particularly on the issue of trafficking—made sure we created a crime victims fund that takes the money from the fines and penalties paid by the procurers, or the people who are charged with purchasing sexual services from trafficking victims, puts that money into the fund that will then be used to help the victims heal. In particular, we need to get rid of this rape kit backlog.

I have been working with one of my personal heroes, Debbie Smith. She has worked very hard to make sure we don't forget these victims, just as she courageously talks about her own terrible experience. It is very important that we get more of these rape kits inventoried so we know exactly what the scope of the problem is and we get more of them tested.

Some cities like Houston, TX, have waited around for the Federal Government. Thanks to former Mayor Parker, Houston has cleared its rape kit backlog by testing all of them. It is incredible what sort of evidence they have been able to produce by creating hits on the DNA testing matchup and being able to solve previously unsolved crimes. Of course, DNA being as powerful as it is can also make sure that people who are falsely accused of a crime are exonerated.

I appreciate the work of the senior Senator from Vermont, Mr. LEAHY, who joined me in introducing the bill, and I appreciate his commitment to seeing it through. As always, I thank Senator GRASSLEY, chairman of the Senate Judiciary Committee, for his leadership in helping shepherd this bipartisan bill through the committee. This is now ready to go to President Obama and be signed into law.

With that, I yield the floor.

Mr. LEAHY. Mr. President, one of America's greatest strengths is our judicial system: a system based on the ideal of equal justice for all. The Senate has a critical role to play in protecting this judicial system. Perhaps most importantly, it is our responsibility to confirm qualified judges to vacancies throughout the country so that our courts function at full strength and Americans receive swift and reliable justice. Another core responsibility is ensuring fairness. In criminal cases, fairness requires that the rights of victims and the accused are respected. It requires that evidence is processed quickly and accurately. And if there is a mistake and an innocent person is wrongly convicted, fairness requires that we have the tools available to correct them.

The bill the Senate passes today, the Justice for All Reauthorization Act, will make our courts more fair. It provides tools to strengthen indigent defense and expand the rights of crime victims. It will improve the use of forensic evidence, including rape kits, to provide justice as swiftly as possible. It will help protect the innocent by increasing access to postconviction DNA testing. Passage of this bipartisan bill is long overdue, but it is an important step that we celebrate today.

The Justice for All Reauthorization Act builds on the work I began in 2000, when I introduced the Innocence Protection Act. That bill sought to ensure that defendants in the most serious cases receive competent representation and, when appropriate, access to postconviction DNA testing.

I started my career as a prosecutor in Vermont. I know that we must hold those who commit crimes accountable, but we must also ensure that our system treats the accused fairly and does not wrongly convict those who are not guilty. In some cases, DNA testing can prove the innocence of individuals where the system got it grievously wrong. ''Innocent until proven guilty'' is a hallmark of our criminal justice system, but when a person who has been found guilty is actually innocent, we must provide access to tools like DNA testing that can set the record straight.

The Innocence Protection Act and the funding it provides for postconviction DNA testing has played a critical role in helping the innocent clear their names and receive the exonerations they deserve. These cases happen more often than people might think. In the first 6 months of 2016, at

least four people have been exonerated by DNA testing after spending a combined 100 years in prison for crimes they had not committed.

Can you imagine how terrifying it must be to be convicted of a crime you did not commit? You are separated from all that you know and all those you love—perhaps for decades or life. You are housed in a cold, bare prison cell, isolated and scared. And perhaps worst of all, no one believes you when you say you did not do it. The four men exonerated by DNA in just the last few months no doubt experienced that and worse, so did my friend Kirk Bloodsworth.

Kirk was a young man just out of the Marines when, in 1984, he was sentenced to death for the rape and murder of a 9 year-old girl, a heinous crime he did not commit. He maintained his innocence and finally received a second trial, only to be convicted again, though this time he received two consecutive life sentences. Again, he fought to clear his name, pushing to have the evidence against him tested for DNA, then a novel new scientific method. The DNA found at the crime scene was not his, and he was released from prison in 1993. He became the first death row inmate in the United States to be exonerated through the use of DNA evidence.

Kirk inspired me to create the Kirk Bloodsworth Post Conviction DNA Testing Grant Program as part of the Innocence Protection Act in 2000. He continues to be a remarkable champion for justice, and I am proud the grant program we both care so deeply about is reauthorized as part of the bipartisan legislation before us today.

We must continue funding this critical postconviction DNA testing since we know our system is imperfect. It is an outrage when an innocent person is wrongly punished, and this injustice is compounded when the true perpetrator remains on the streets, able to commit more crimes. We are all less safe when the system gets it wrong.

Of course we must do more to ensure that our justice system gets it right from the beginning, and that means improving the quality of indigent defense. This legislation requires the Department of Justice to provide technical assistance to States to improve their indigent defense systems, and it ensures that public defenders will have a seat at the table when States determine how to use their Byrne JAG criminal justice funding. Although these are small changes, I hope they lay the ground work for greater improvements ahead, including adoption of my Gideon's Promise Act. That legislation would allow the Department of Justice to ensure that States are satisfying their obligations to provide competent counsel under the 6th and 14th Amendments. It has been a part of this bill in previous years, but unfortunately does not yet have the support it needs for passage. We must do more to protect this fundamental right, and I will continue to work to see the Gideon's Promise Act passed into law.

In addition to the Innocence Protection Act, the Justice for All Reauthorization Act also increases resources for public forensic laboratories by reauthorizing the Coverdell program. It addresses the needs of sexual assault survivors by ensuring that rape kit backlogs are reduced and forensic exam programs are expanded. It strengthens some key provisions of the Prison Rape Elimination Act. And it expands rights for victims of all crime.

While we still have a long way to go, we have made progress over the years to respond to the needs of sexual assault survivors, and I am glad this legislation continues to build on that strong record. Last Congress, we reauthorized the Debbie Smith DNA Backlog Reduction Program, named for my brave friend Debbie Smith who waited for years after being attacked before her rape kit was tested and the perpetrator was caught. I included language in the Leahy-Crapo Violence Against Women Reauthorization Act of 2013 to increase services and funding for survivors of sexual assault and further reduce the rape kit backlog.

I thank Senator CORNYN for working with me to pass this important legislation today. The programs authorized through the Justice for All Act are a smart use of taxpayer dollars that ensure the integrity of our justice system. Senators who talk about the need to go after criminals and promote public safety should support our legislation, which I hope we can enact into law this year.

Mr. GRASSLEY. Mr. President, I commend Senator CORNYN and the ranking member of the Judiciary Committee, Senator LEAHY, for their work on the Justice for All Reauthorization Act of 2016, which today passed the Senate. I also want to thank the sponsors for agreeing to accept, as part of this reauthorization measure, some transparency language that I developed. This language also passed the Senate today by unanimous consent in the form of a floor amendment to the Justice for All Reauthorization Act.

The purpose of the original Justice for All Act, on which many of us worked during congressional consideration of the measure in 2004, is to protect crime victims' rights, authorize resources to reduce backlogs of unanalyzed DNA evidence from crime scenes and convicted offenders, and expand the DNA testing capacity of the Nation's crime laboratories. The statute also authorizes resources for testing DNA evidence to protect the innocent from wrongful convictions. By working together in a bipartisan fashion, our colleagues have produced legislation that will extend these programs for several more years.

The purpose of my amendment to this reauthorization measure is to increase the transparency and promote accountability of many DNA-related programs and activities that are administered by the Justice Department's Office of Justice Programs. We have all seen the recent articles in USA Today, ProPublica, and elsewhere that suggest we may need to take additional steps to effectively accomplish the goals of these programs. In particular, these articles have raised questions about the DNA capacity enhancement and backlog reduction program, which is administered by OJP's National Institute of Justice.

We don't fully understand, for example, why significant backlogs of DNA evidence from crimes of murder and sexual violence persist, despite the appropriation of more than $1 billion by Congress for the DNA programs that are authorized under the Justice for All Act. The U.S. Government Accountability Office, in a 2013 report entitled ''DOJ Could Improve Decision-Making Documentation and Better Assess Results of DNA Backlog Reduction Program Funds,'' suggested that NIJ could better document the rationale for its yearly funding priorities and take additional steps to verify the reliability of grantee performance data. The Justice Department's inspector general also suggested, in a March 2016 audit report of the DNA program, that NIJ's process for identifying grantees with the potential for generating program income needs improvement.

My transparency language, which is modeled on accountability language that already applies to grant recipients under the STOP grant program, is designed to elicit more information about how the funds appropriated for Justice for All Act programs are being used in practice. First, it would require the Attorney General to annually report to Congress, for each recipient of DNA grants, the amounts distributed to each grant recipient, the purposes for which these funds were used, and each recipient's progress in achieving those purposes. Second, under this amendment, the Attorney General must summarize the types of DNA samples submitted to crime labs, the average time it took to test these DNA samples, and the proportion of each grant that went to private crime labs. Finally, and perhaps most importantly, it would require the Attorney General to evaluate the effectiveness of grant amounts in increasing crime labs' capacity and reducing backlogs of DNA evidence.

The amendment I sponsored also includes some language that is designed to ensure we avoid duplication in grant programs, as well as a provision that is intended to enhance crime victims' access to restitution. I thank Senator LANKFORD, who cosponsored the amendment, for suggesting the inclusion of the antiduplication language, which is modeled on language that I led the Judiciary Committee in approving as part of several other measures before our committee. Senator FEINSTEIN, who also cosponsored this amendment, also deserves credit for suggesting the addition of restitution language.

In closing, I want to again extend my appreciation to Senators CORNYN and LEAHY for their hard work on this measure, which our Judiciary Committee reported last month and congratulate them on Senate passage of the Justice for All Reauthorization Act of 2016.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

COMPREHENSIVE ADDICTION AND RECOVERY ACT OF 2016

Mr. MCCONNELL. Madam President, I ask that the Chair lay before the Senate the House message accompanying S. 524.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the House insist upon its amendments to the bill (S. 524) entitled ''An Act to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use,'' and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

COMPOUND MOTION

Mr. MCCONNELL. Madam President, I move that the Senate disagree to the amendments of the House, agree to the request by the House for a conference, and the Presiding Officer appoint the following conferees: Senators GRASSLEY, ALEXANDER, HATCH, SESSIONS, LEAHY, MURRAY, and WYDEN.

The PRESIDING OFFICER. The motion is now pending.

CLOTURE MOTION

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

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to disagree to the House amendments, agree to the request from the House for a conference, and the Presiding Officer appoint the following conferees: Senators Grassley, Alexander, Hatch, Sessions, Leahy, Murray, and Wyden with respect to S. 524, a bill to authorize the Attorney General and Secretary of Health and Human Services to award grants to address the national epidemics of prescription opioid abuse and heroin use, and to provide for the establishment of an inter-agency task force to review, modify, and update best practices for pain management and prescribing pain medication, and for other purposes.

John McCain, John Cornyn, Marco Rubio, Deb Fischer, Rob Portman, Roger F. Wicker, Richard Burr, Joni Ernst, David Vitter, James M. Inhofe, Dean Heller, Pat Roberts, Lamar Alexander, Ron Johnson, Tom Cotton, Thom Tillis, Mitch McConnell.

The PRESIDING OFFICER. Pursuant to rule XXVIII, there will now be up to 2 hours of debate equally divided in the usual form.

The Senator from Ohio.

Mr. PORTMAN. Madam President, I wish to start by commending the majority leader who just came to the floor and offered a motion to go to conference on CARA, the Comprehensive Addiction and Recovery Act of 2016. This is an incredibly important piece of legislation because it will allow the U.S. Congress to be a better partner in fighting against this heroin and prescription drug epidemic that is seizing our communities.

This is a big step today because it says we are going to send a few Senators over to work with the House to come up with a consensus bill between CARA, which passed in this body on March 10, by the way, by a 94-to-1 vote. That never happens around here, and it happened because after 2½ weeks of debate on the floor, everybody realized this is an issue that had to be addressed and that the legislation we came up with was the sensible and responsible way to do it.

It was legislation we developed over a 3-year period. Senator WHITEHOUSE and I were the leads on it. We had five conferences here in Washington, bringing experts in from around the country. We took the best ideas, regardless of where they came from, and came up with a way to deal with the prevention and education aspect of this, to prevent people from getting into the funnel of addiction in the first place, but then, for those who are addicted, to treat addiction like the disease that it is, to get them into the treatment and recovery services that they need, as well as to help our law enforcement; specifically, to help our law enforcement with regard to Narcan, which is naloxone, which helps to stop the overdose deaths. We also help to get prescription drugs off of people's shelves and to avoid this issue of people getting into the issue of opioid addiction, sometimes inadvertently, through prescription drug overprescribing.

This is a bill that actually addresses the problem in a responsible way. It is comprehensive.

The House then passed its own legislation. They passed 18 separate bills, smaller bills, not as comprehensive but which included some good ideas that were not in the Senate bill; one, for instance, raising the cap on doctors who are treating people with Suboxone. Some of those ideas should be incorporated as well, but the point is, we have to move and move quickly.

If we think about this, since the Senate passed its legislation, which was on March 10, we have unfortunately seen roughly 129 people a day lose their lives to overdoses. So many thousands of Americans have lost their lives even since March 10. This legislation takes the right step to address that problem and not to address just those who have overdosed and died but those who are casualties of this epidemic, who have therefore lost their job, lost their family, lost their ability to be able to function.

As I talk to recovering addicts around my State of Ohio, I hear the same thing again and again: The drugs become everything, and this does cause families to be torn apart. It does cause crime. When I talk to prosecutors in my State, they tell me that most of the crime—in one county, recently a county prosecutor told me that 80 percent of the crime is due to this heroin and prescription drug epidemic. So this is one we must address for so many reasons, and we must address it right away.

I am pleased we are finally appointing conferees. I hope the other side will not consider blocking this because we need to move on with this to get this legislation to the President's desk. We have been talking with the House about their legislation that was passed subsequent to our legislation and talking about how to make some of these compromises to be able to come up with a consensus bill. I think we are very close. Again, I think there are some ideas in the House bill we should incorporate, and I think there are some ideas in the Senate bill that must be included in the House bill that are not included now. I think one is with regard to recovery services.

We know that the best evidence-based treatment and recovery can make a difference in turning people's lives around, and therefore we do support recovery services. For those in the field, they will tell us it is not just about the medication-assisted treatment, it is that longer term recovery that creates the success we are all looking for.

Then, on the prevention side, we have focused more specifically on a national awareness campaign to get people again focused on this issue of the link between prescription drugs and the dangers there that are narcotic prescription drugs and the opioid addiction issue. I can't tell you how sad it is to talk to parents back home who have lost a child because that child started on prescription drugs. In two cases, I can tell you about parents who have come to talk to me—one testified at a hearing that we had back in Cleveland, OH—two cases where the teenager went in to get a wisdom tooth extracted and was given painkillers—prescription drugs—and from that became addicted and from that went to heroin and from that, sadly, had an overdose and died.

So I think this awareness is incredibly important because most people don't realize that four out of five heroin addicts in Ohio started on prescription drugs. That awareness alone will save so many lives and create the opportunity for us to keep people out of that funnel of addiction in the first

place. The grip of addiction is so strong that once you are in it, it is a huge challenge, but it is one that can be overcome, again with the right kind of treatment and the right kind of recovery.

Again, I am pleased that the majority leader came to the floor today to actually begin this process of the formal conference, to get this bill to the President's desk and, more importantly, to get this bill out to our communities so it can begin to help and it can begin to turn the tide.

It is not getting better. I wish I could say it was. When I talk to people who are staffing the hotlines back home, they tell me, unfortunately, there are more calls coming in. When I talk to people in our hospitals, they tell me, unfortunately, there are more babies born with addiction who are showing up in neonatal units. There has been a 750-percent increase in my State of Ohio in babies born with addiction just in the last dozen years.

Unfortunately, when I talk to people about the emergency room—I talked to an emergency room nurse last weekend when I was in Cleveland. I was at a festival talking to people, and an emergency room nurse came up to me. I heard the same thing I have heard many times, which is you have to do something about this issue. More and more people are coming to our emergency rooms seeking help.

Of course, it is creating an issue in terms of jobs and employment because people who are addicted often are not able to work, cannot hold down a job, and cannot pass a drug test. So it is affecting our economy in so many ways, and of course affecting our families. Ultimately, it is about individuals not being able to pursue their God-given purpose in life because these drugs are getting them off track.

CARA passed in the Senate by a 94-to-1 vote, as I said. So there is common ground here among Republicans and Democrats alike. This is not a partisan issue. It never has been. From the start, over the last few years we have worked together. In fact, we worked with the House, not just bipartisan but bicameral, and put together legislation both Chambers could support. There were about 129 House Members who were cosponsors of the legislation that passed the Senate. Initially, we took ideas from the House and the Senate, and this is why I am a little frustrated, frankly, that we haven't made more progress already. Now is the time to move. Let's get this done before July 4. Let's get it done next week. Let's get it to the President and to our communities. There is no reason for us to wait. With this step today, of the formal naming of the conferees, there is no reason for us not to move forward with this and move forward with it in a way that shows we can work together as a House and Senate to solve these problems.

Some have said: Well, there might be some other ideas that will come up. That is fine. I hope there will be lots of new ideas that will come up because there is no silver bullet, but we know this legislation will help. We know it is comprehensive. We know it is well-thought-out. We know it is based on best practices. Let's move forward with this now because it is urgent.

One American every 12 minutes loses his or her life to overdoses. Since CARA passed, this means more than 11,000 Americans have died of overdoses. So since March 10, when this legislation passed on the Senate floor, 11,000 Americans lost their lives. Again, it doesn't include the hundreds of thousands more who are affected in some fundamental ways.

People back home get this. When I was on a tele-townhall meeting recently, one of my constituents called in, and he started talking about the CARA legislation and the importance of more funding for evidence-based treatment that works. There was something about the way he was describing it, and I could tell this was personal. So I said: Sir, can you tell us why you know so much about this and why you are so interested?

There was a pause. I knew what was coming because I heard it too many times before. He explained that he had lost his daughter. She had been in and out of treatment programs, and relapsed. She had been in prison and out. She had finally decided that she was ready, that she wanted to accept a treatment program to be able to turn her life around. She was in a position to do so. They took her to a treatment center to get treatment, and there was a waiting list. During the time she was on that waiting list—I believe it was 14 days—was when they found her. She had overdosed. His point was very simple. You can imagine the emotion on the call.

His point was very simple. When someone is ready to seek treatment, we need to have treatment available for them. We are told that eight out of ten heroin addicts—nine out of ten overall—are not seeking treatment who need it. Some of that is because of the stigma associated with addiction. We need to wipe that stigma away to get people into treatment. Some of it is because there is not the availability of treatment in some parts of Ohio. In some parts of Ohio, in some of our rural areas, there literally is no effective treatment available. In other areas, in some of our urban areas, where there is good treatment available and some amazing places that are doing incredible work, they do have a waiting list at some of them. We also have a waiting list with regard to some of the longer term recovery centers and residential centers in Ohio. That again is helped by this legislation. We also have difficulty with some of our detox centers in some areas of Ohio. There is not enough room in the detox center so the police don't know where to take people to get them started in this process.

We hear stories constantly back home in Ohio about this issue because, sadly, we are one of the States that is hardest hit. We are in the top five in the country in overdoses, and in fentanyl overdoses we may be No. 1. Fentanyl, by the way, is a synthetic form of heroin.

People ask: Is it about prescription drugs or heroin? It is about the drugs. If it is not heroin, it may be fentanyl. If it is not fentanyl, next year it may be something else. It may go back to methamphetamines. It may be about cocaine. It is about the drugs, and we can't take our eye off of this issue because when we think we solve one problem another problem will crop up.

Fentanyl is produced synthetically. It is usually in the mail, and it is mailed mostly from Ohio. From our experience, it is coming from China to the United States. It is made by chemists who don't care about our kids or our citizens, because they are making this deadly poison. Sometimes it is mixed with heroin. Sometimes it is put into a pill form to try to indicate that it might be a prescription drug pill that people might think is more safe, which it is obviously not. This fentanyl is causing more deaths in my hometown of Cincinnati and Cleveland, OH, than heroin these days.

We hear stories such as the story of Nicholas Dicillo of Cleveland, OH. Nicholas was a bright young man, a gifted musician. He had a full scholarship to Northwestern University. His father died of a heroin overdose when he was a child. Two decades later, sadly, Nick became a heroin addict himself after experimenting with it with some friends. It was an experiment, and he got addicted. I hope people who are listening today understand this is something that cannot be played with. You are playing with fire.

He soon realized that he had made a tragic mistake. He said: ''Heroin took me to the depths of hell.'' That was his quote.

Then his mother Celeste died of a heroin overdose in January. Nicholas was the one who found her body. That heartbreaking experience motivated Nick to get clean. He made a promise to himself that he would not suffer that same fate, the fate of both of his parents. After his mother died, he was homeless. He tried quitting cold turkey. That didn't work. He wasn't able to do it. Most heroin prescription drug addicts are not. He sought help, he sought treatment, and he was clean for 2 months.

I am just starting to like myself again. I have a whole lot more life to live. I have a whole lot more I want to do. I don't want to become another statistic.

But then, sadly, he relapsed. He overdosed. He was found dead with a needle in his arm on May 4 in west Cleveland, OH. Memorial services are being held for him in Cleveland this week.

That is what is happening in northeast Ohio. In southwest Ohio, a woman

arrested by the Cincinnati Police pled guilty last week to repeatedly trafficking her own 11-year-old old daughter to her 42-year-old drug dealer in exchange for heroin. Sadly, she even gave this girl—her 11-year-old daughter—heroin.

You get the picture. This is not in one ZIP Code. This is not in one community. It knows no ZIP Code. It is in our rural areas, in our suburban areas, and in our inner cities. It is affecting every person regardless of their station in life, regardless of their background. No one is immune from it, and no one is unaffected by it. Ohioans know this is happening and they are taking action. That is positive. Terri Thompson, of Bluffton, OH, has founded a group called Ohio Moms Against Heroin, and I commend her for it. She has seven kids, by the way, and five of them have been addicted to heroin at one point or another over the past 20 years. They are from a middle-class Ohio home. One son went to prison. Over the next year, 12 of his peers died of heroin overdoses. Terri's youngest daughter—a cheerleader, a soccer player, and a talented piano player—made the mistake of trying heroin with her boyfriend. She became addicted. One of her brothers who got treatment and is now leading a productive life, is a small business owner. He encouraged her to get treatment, too, as he had gotten. She did, and now she is living a sober, clean, and a productive life.

Seven hundred Ohio moms have now joined Terri's group. We already know they have been saving people. They tell me a story about one woman who contacted the group when she needed treatment. Terri personally picked her up and drove her to detox and the woman has been clean for 3 months and is now back on track. On June 18, Terri and dozens of other moms will be rallying and marching in Findlay, OH, to educate people that addiction is a disease and it needs to be treated. Again, I commend her. I want to thank Terri and all those involved in this body. She is a brave woman who is channeling her grief toward something constructive, and that is helping others to avoid this disease.

In my hometown of Cincinnati, the Center for Addiction Treatment, also known as the CAT House, has announced a $5.7 million capital campaign to construct a new 17,000-square foot building to address the opioid epidemic. This will triple their capacity to be able to treat more patients. They will be able to treat about 6,000 patients. They do great work, and they have had great success. Construction has already begun. It is expected to be completed within a year.

I want to thank everyone who has made that possible, including the folks at the CAT House, but also the State of Ohio, the city of Cincinnati, the Deaconess Health Associations Foundation, and Bethesda, Inc.

The University of Cincinnati former law school dean emeritus, Joe Tomain, who is a friend of mine, has been speaking out about this epidemic, writing in the Cincinnati Enquirer: ''There is no more urgent need in our community than to address this drug scourge.'' I think he is right. I want to thank him for doing his part in helping to lend his voice to those who don't have a voice.

I know the scope of this epidemic can sometimes feel overwhelming. I know the way we talked about it today, it has to be frustrating to everybody hearing it. What are the solutions? How can we get at this? But we know there is hope. We know that prevention can work. It is the right kind of prevention, if it is focused and targeted. We know that treatment and recovery can work. I have given you examples of that. Again, it has to be evidence-based. It has to be stuff that we are funding here because it works, not because we want to throw more money at a problem.

Reggie Gant, of Columbus, OH, was a married father of three who had a good job working at a paint company. He tore his rotator cuff. He was in pain. His doctor prescribed Percocet for his pain. He became addicted. When his doctor stopped filling the prescription, he started buying off of other people in the doctor's waiting room. When the pills weren't available or were too expensive, which is often the problem for these prescription drug addicts who turn to heroin, he switched to heroin. It was less expensive. It was more available. He was trapped in the funnel of addiction, and the drug became everything. He lost his relationship with his wife and his kids. He started stealing from his workplace. ''I did things I never thought I would do in a million years,'' he said.

As I said earlier, the drugs are everything. But he got treatment, spending 40 days at an inpatient facility. He has been clean for 6 months. He is getting help from the Lima Urban Minority Alcoholism and Drug Abuse Outreach Program. He is beating this because he was able to step forward and get into treatment. It was there for him. People can beat this, and they do every day.

Experts tell us 9 out of 10 of those who need treatment aren't getting it. As I said earlier, some of that is because of the stigma, and some of that is because of lack of access to facilities in their communities. This House effort that was undertaken with 18 separate bills combined with the Senate bill, the Comprehensive Addiction and Recovery Act, or CARA, will make a difference. It will provide more help to the type of treatment programs and recovery efforts that actually work.

If we can get this comprehensive bill to the President, we can help more people who are struggling to get treatment. We can help give them more hope. It is time to act and act quickly to find common ground before we lose more of our fellow Americans. Let's get this comprehensive bill into law and begin to help those millions of our fellow citizens who are struggling with this epidemic.

Thank you, Madam President.

I yield back my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RADICAL ISLAMIC TERRORISM

Mr. CRUZ. Madam President, our Nation is at war. Five days ago, we saw a horrific terror attack in Orlando, FL. From September 11 to the Boston Marathon, from Fort Hood to Chattanooga, from San Bernardino to this attack in Orlando, radical Islamic terrorism has declared jihad on America. As the facts have unfolded, they now indicate that the Orlando terrorist had pledged his allegiance to ISIS in the process of murdering 49 and wounding more than 50 at a nightclub.

All of our hearts go out to those who were murdered. To the families of those who were victims and who are grieving, we stand in solidarity, we lift them up in prayer at this horrific act of terrorism. But it is also a time for action. We need a Commander in Chief who will speak the truth, who will address the enemy we face, who will unleash the full force and fury of the American military on defeating ISIS and defeating radical Islamic terrorists.

In the wake of the attack, many of us predicted what would unfold, and it was, sadly, the same political tale we have seen over and over again. Many of us predicted that Democrats would, as a matter of rigid partisan ideology, refuse even to say the words ''radical Islamic terrorist''; that they would suggest this attack was yet another isolated incident, one lone criminal, not connected to any global ideology, not connected to any global jihad; and that, even worse, they would try to use it as an excuse to go after the Second Amendment rights of law-abiding citizens. I wish, when we predicted that, that we had been proven incorrect. But this week played out all too predictably.

Yesterday we saw a political show on the Senate floor, with Democrat after Democrat standing for hours, incensed not at ISIS, incensed not at radical Islamic terrorism, but incensed that Americans have a right to keep and bear arms. This is political distraction. This is political gamesmanship. I think the American people find it ridiculous that in response to an ISIS terror attack, the Democrats go on high dudgeon that we have to restrict the Second Amendment rights of law-abiding citizens. This is not a gun control issue. This is a terrorism issue. And it is nothing less than political gamesmanship for them to try to shift to their favorite hobbyhorse of taking away the Bill of Rights from law-abiding citizens.

I have spent years defending the Second Amendment—the right to keep and bear arms—the Constitution, and the Bill of Rights, and I, along with the Presiding Officer, along with a great many Members of this Chamber, am committed to defending the constitutional rights of every American. You don't defeat terrorism by taking away our guns; you defeat terrorism by using our guns. This body should not be engaged in a political circus trying to restrict the Second Amendment. Instead, we should be focusing on the problem at hand.

Why did we see yesterday's series of speeches? Because Senate Democrats have an election coming up in November, and they don't want to talk about the real issue. Let's talk about ISIS. Let's talk about radical Islamic terrorism. Let's talk about the failures of the last 7 years of this administration to keep this country safe.

In response to my criticism and that of many others, President Obama gave a press conference where he said, echoing the words of Hillary Clinton: What difference does it make if we call it radical Islamic terrorism? Well, Mr. President, it makes a world of difference because the failure to address the enemy impacts every action taken to fight that enemy.

I want to talk in particular about three areas where this administration and the Senate Democrats' refusal to confront radical Islamic terrorism has made America less safe and what we need to do about it. Let's start with prevention. Over and over again we have seen the Obama administration having ample information to stop a terrorist attack. Yet, because of the political correctness, because of the ideology of this administration that will not even say the word ''jihad,'' will not even say the words ''radical Islamic terrorism,'' they look the other way, and the attacks go forward.

In my home State of Texas, Fort Hood, Nidal Hasan—the Obama administration knew that Nidal Hasan had been in communication with the radical Islamic cleric Anwar al-Awlaki. The Obama administration knew that Nidal Hasan had asked al-Awlaki about the permissibility of waging jihad against his fellow soldiers. All of that was known beforehand, yet they did nothing. They did nothing. And on that fateful day, Nidal Hasan murdered 14 innocent souls, yelling ''Allahu Akbar'' as he pulled the trigger. Yet, just to underscore the blindness of this administration even after the terror attack, the administration insisted on characterizing that terror attack as ''workplace violence.'' That is nothing short of delusion, and it is a delusion that cost 14 lives.

If we know of a U.S. servicemember who is communicating with a radical Islamic cleric and asking about waging jihad against his fellow soldiers, MPs should show up at that individual's door within minutes. And if we didn't have an administration that plunged its head in the sand like an ostrich and refused to acknowledge radical Islamic terrorism, Nidal Hasan would have been stopped before he carried out that horrific act of terrorism.

Likewise, with the Boston bombing and the Tsarnaev brothers, Russia had informed the Obama administration they were connected with radical Islamic terrorism. We knew that. The FBI had gone and interviewed them. Yet, once again, they dropped the ball. They stopped monitoring them. They didn't even note when the elder Tsarnaev brother posted on YouTube a public call to jihad. Mind you, this did not require complicated surveillance. This was YouTube. Anyone with a computer who could type in ''Google'' could see this. Yet, because the administration will not acknowledge that we are fighting radical Islamic terrorism, they were not watching and monitoring the Tsarnaev brothers. So they called for public jihad and then carried out that public jihad with pressure cookers at the Boston Marathon—yet another example where we knew about the individual beforehand, and if we had focused prevention on the problem, we could have stopped it.

A third example was San Bernardino, that horrific terror attack. Once again, we had ample information about the individuals in question. The female terrorist who came to San Bernardino had given the administration a fake address in Pakistan. Yet the so-called vetting that this administration tells us they do had failed to discover that it was a fake address. She had made calls for jihad; yet the administration failed to discover that. In San Bernardino, we saw yet another horrific terror attack.

And how about Orlando? Let's talk about what the facts are in Orlando. Now, we are only 5 days in. The facts will develop further as they are more fully developed, but here is what has been publicly reported.

What has been publicly reported is that Omar Mateen was interviewed not once, not twice, but three times by the FBI in 2013 and 2014. One of the reasons he was interviewed by the FBI was that he was talking in his place of employment, which, ironically and shockingly enough, was a contractor to the Department of Homeland Security, and he was talking about being connected to terrorist organizations, including the Boston bombers. To any rational person, that is a big red flag. Yet it has also been reported that his coworkers were so afraid to say anything because they didn't want to be labeled as somehow anti-Muslim by speaking out about someone claiming to be connected to radical Islamic terrorists.

We also know that when he was questioned by the FBI in 2004, according to public reports, it was because he was believed to have been connected to and knew Moner Mohammad Abusalha, who traveled to Syria to join the terrorist organization al-Nusra Front and who became the first known American suicide bomber in the Syrian conflict. That is yet another big red flag. If you are palling around with al-Nusra suicide bombers, that ought to be a real flag. If the administration is focused on radical Islamic terrorism, this is an individual we ought to be watching.

We know that Mateen, as it has been reported, traveled to Mecca in Saudi Arabia for 10 days on March 2011 and for 8 days in March 2012. And we also have indications that the FBI may have been aware that he was a follower of the Islamist educational Web site run by radical Imams. Not only that, but his father has posted online videos expressing not only sympathy but arguably support for the Taliban. All of that is what the Obama administration knew. Yet by Sunday morning they were no longer watching Omar Mateen. They were no longer watching Omar Mateen. They were not monitoring him, and he was able to go in and commit a horrific act of murder.

The question that every Member of this body should be asking is, Why is the ball being dropped over and over and over again? It is not once. It is not twice. It is a pattern. It is a pattern of failing to connect the dots. I would suggest it is directly connected to President Obama and this administration's refusal to acknowledge what it is we are fighting. If you direct the prevention efforts to stopping radical Islamic terrorism—we had all the information we had on Mateen to keep a very close eye on him. Yet if that is not what you are fighting, then you close the investigation and yet another attack goes forward.

I would suggest that this willful blindness is one of the reasons we saw the circus yesterday on the Senate floor. Senate Democrats should be asking these questions, yet we don't hear them asking those questions. Instead, they want to shift this to gun control. They want to shift this to putting the Federal Government in charge of approving every firearms transaction between law-abiding citizens in America. Mind you, that would not have prevented this attack. Mind you, it was not directed at the evil of this attack. Mind you, it ignores the global jihad we are facing, but it is a convenient political dodge. We need serious leadership focused on keeping this country safe.

A second component of keeping this country safe is defeating ISIS—utterly and completely defeating ISIS.

In yesterday's circus, when calling for taking away your and my constitutional rights, how often did Senate Democrats say: Let's utterly destroy ISIS. Not with the pinprick attacks we are seeing, not with the photo-op foreign policy of this administration—a failed effort that leaves the terrorists laughing at us—but instead, using overwhelming airpower; instead, using the concerted power of the U.S. military, with rules of engagement that allow us to fight and win. Right now, sending our service men and women into combat with rules of engagement

tying their hands behind their backs is wrong, it is immoral, and it is not accomplishing the task.

Do you want a response to the Orlando attacks? President Obama and Vice President BIDEN are going down. They will no doubt give a self-righteous speech about gun control, trying to strip away the rights of law-abiding Americans. How about they stand up and have the President pledge that ISIS will be driven from the face of the Earth? Do you want to see a response to murdering innocent Americans? If you declare war on America, you are signing your death warrant. That is the response of a Commander in Chief. That is the seriousness we need.

A third component of focusing on the enemy is that we should focus on keeping us safe—in particular, passing two pieces of legislation, both of which I introduced, the first of which is the Expatriate Terrorist Act. This is legislation which provides that if any American citizen goes and takes up arms and joins ISIS, joins a radical Islamic terrorist group, that he or she forfeits their U.S. citizenship. So you do not have American citizens coming back to America with U.S. passports to wage jihad on America. We have seen Americans such as Jose Padilla, Anwar al-Awlaki, and Faisal Shahzad, just to name a few, who have abandoned their country and joined with the terrorists in waging war against us. Just this week, the CIA Director testified to the Senate that more are coming; ISIS intends to send individuals back here to wage jihad.

Rather than engaging in political showmanship, trying to gain partisan advantage in the November election, how about we come together and say: If you join ISIS, you are not using a U.S. passport to come back here and murder American citizens. That ought to be a unanimous agreement if we were focused on keeping this country safe.

Likewise, let's talk about the problem of refugees. What are the consequences of the willful blindness of this administration that President Obama, in the face of this terror attack, says that he will admit some 10,000 Syrian Muslim refugees, despite the fact that the FBI Director has told Congress he cannot possibly vet them to determine if they are terrorists?

Here is what FBI Director Comey said:

> We can only query against that which we have collected. And so if someone has never made a ripple in the pond in Syria in a way that would get their identity or their interest reflected in our database, we can query our database until the cows come home, but there will be nothing to show up because we have no record of them.

This is an FBI Director who was appointed by President Obama who is telling the administration they cannot vet these refugees. Yet what does the administration say? What does Hillary Clinton say? What do the Senate Democrats say? Let the refugees in, even though ISIS is telling us they are going to use those refugees to send terrorists here to come and murder us. This transcends mere partisan disagreement; this is lunacy.

We know the Paris attack was carried out in part by people who came in using the refugee program, taking advantage of the refugee program. Indeed, earlier this year, on January 6, 2016, Omar Faraj Saeed Al Hardan, a Palestinian born in Iraq who entered the United States as a refugee in 2009, was charged with attempting to provide support to ISIS. He wanted to set off bombs using cell phone detonators at two malls in my hometown of Houston, TX. This is a refugee who came from Iraq. Yet, do you hear the administration saying: This is a dangerous world. Jihadists are attempting to kill us. We have to keep us safe. They don't say that.

The legislation I have introduced, which I would urge this body to take up, would impose a 3-year moratorium on refugees coming from any nation where ISIS or Al Qaeda or radical Islamic terrorists control a substantial portion of the territory. We can help with humanitarian efforts. We can help resettling refugees in majority Muslim countries in the Middle East. America is a compassionate country that has given more than 10 times as much money as any country on Earth to caring for refugees. But being compassionate doesn't mean we are suicidal. It doesn't mean we invite to America, we invite to our homes people who the FBI cannot tell us if they are terrorists or not.

What should this Senate be doing? We shouldn't be engaging in a sideshow of gun control. By the way, I will say on behalf of a lot of American citizens, in the wake of this terror attack, it is offensive. I sat in that chair and presided yesterday over some of the show. It was offensive to see Democrat after Democrat prattling on about the NRA. It wasn't the NRA that murdered 49 people in Orlando. It wasn't the NRA that set up pressure cookers in the Boston bombing. It wasn't the NRA that murdered 14 innocent souls at Fort Hood. It is offensive to play political games with the constitutional rights of American citizens instead of getting serious about keeping this country safe.

I would urge this body to take up both pieces of legislation—the Expatriate Terrorist Act to prevent terrorists from using U.S. passports to come back to America and TRIPA to prevent refugees from countries with majority control, major control from ISIS or Al Qaeda from coming in, ISIS terrorists as refugees. Those would be commonsense steps. The overwhelming majority of Americans would agree. Yet, in this politicized environment, that is not what our friends on the other side of the aisle want to talk about. Until we get serious about defeating radical Islamic terrorists, we will continue to lose innocents.

I would note one aspect of the attack on Sunday morning. It was widely reported that it was at a gay bar. There are a great many Democrats who are fond of calling themselves champions of the LGBT community. I would suggest there is no more important issue to champion in that regard than protecting Americans from murder by a vicious ideology that systematically murders homosexuals, that throws them off buildings, that buries them under rocks. The regime in Iran, now supported by billions of dollars of American taxpayer dollars at the behest of President Obama, murders homosexuals regularly.

I will confess, some in the press pool were a little bit puzzled: Well, how can a Republican be speaking out against this? Let me be very clear. I am against murder. I am against murder of any American. Nobody has a right to murder anybody because they differ in faith, because they differ in sexual orientation, because they differ in any respect. We are a nation founded on protecting the rights of everyone to live according to their conscience, according to their faith. This murder in Orlando was not random; it was part of a global jihad, an ideology, an Islamist ideology that commands its adherents to murder or forcibly convert the infidel, by whom they mean every one of us.

This body should not be engaged in political games. We should be focused on the threat and keeping America safe and defeating radical Islamic terrorists.

As we remember the victims of this latest terror attack, the greatest memorial we can give to them is to redouble ourselves to a seriousness of purpose to prevent the next terror attack from taking innocent American lives. I hope that is what this body does. I hope we do so in a bipartisan manner.

I yield the floor.

The PRESIDING OFFICER (Mrs. ERNST). The Senator from Vermont.

Mr. LEAHY. Madam President, I am a proud cosponsor of the Comprehensive Addiction and Recovery Act, and I am glad that this important bill is now going to be moving to conference. I am glad that as the senior Democrat on the Judiciary Committee, I will be a conferee.

Beyond the idea of being a conferee, it is urgent that we find comprehensive and real solutions to the epidemic of heroin and prescription opioid abuse. I am in Vermont many times a month. I hear from people I know and from some I do not know. They are in the grocery stores, on the street, even coming out of church on Sunday. They are telling me of their concerns either within their own family or in their own neighborhood with the problems of opioid abuse. Communities throughout the Nation are grappling with this issue, whether they are in urban areas or rural areas or a State such as the Presiding Officer and I represent that has a mixture of both urban and rural.

I think the Federal Government has to do its part to provide the support

necessary to sustain those efforts. It means real money. For rural communities, which are predominantly the communities in my home State of Vermont, it means better access to the opioid antidote Naloxone, which saves lives. I have held hearings throughout Vermont, and I have heard from not only the police but physicians, the faith community, parents, teachers, and others that Naloxone can save lives.

It is really not a question of whether there is a heroin-opioid epidemic; the question is how quickly we can respond. We have to act now. The American people expect us to, and that is an expectation they are justified to have. So let us fulfill the expectation.

I support the efforts by my neighbor from New Hampshire, Senator SHAHEEN, and I support her motion to instruct conferees to provide funding for State and local efforts to combat the opioid epidemic.

I also support my fellow New Englander, Senator WHITEHOUSE, in his motion to instruct conferees to address the needs of rural communities. I come from a State of 625,000 people—625,000 very special people. It is very rural. We need the help. I support Senator WHITEHOUSE in this.

I see other Senators on the floor, so I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

PUERTO RICO

Mr. MENENDEZ. Madam President, I rise today to be a voice for the 3½ million citizens living on the island of Puerto Rico. I rise so their concerns for themselves, their families, and their livelihoods will be heard—to ask that we improve House-passed legislation known as PROMESA. The word ''promesa'' in English would mean ''promise,'' but the only thing the House bill promises the people of Puerto Rico is years of subjugation at the hands of an anti-democratic control board.

All of us in this Senate will soon be faced with an immediate and serious choice, one which will have profound consequences on the people of Puerto Rico for a generation. I have said from the beginning, in terms of the challenge Puerto Rico has—a $70 billion debt; pays one-third of every dollar it receives toward paying interest, which is unsustainable for them and unsustainable for any governmental entity that would face that challenge; made tough, horrible decisions—closed schools, closed hospitals, reduced public safety—and still cannot meet the challenge. They need a clear path to restructuring. That is not a bailout. A bailout is when somebody has a debt, you bring them the money and say, OK, we are going take care of your debt, but that is not the case. Restructuring is about taking the debt you have and giving the wherewithal for that debt to be restructured in a way that is both sustainable and can take care of the obligations therein.

It needs an oversight board that represents the people, the U.S. citizens of Puerto Rico, their needs and their concerns, and acknowledges and respects their Democratic rights as Americans, but, sadly, the legislation passed by the House last week falls far short of what we need on several fronts. Instead of offering a clear path to restructuring, it creates more obstacles. It creates a supermajority 5-to-2 vote by an unelected control board to get to the possibility of restructuring that could derail the island's attempts to achieve sustainable debt payments. Without any authority to restructure its debt, all this legislation will do is take away the Democratic rights of 3½ million Americans and leave the future to wishful thinking and a prayer that the crisis will somehow be resolved. Even if the board did allow restructuring after a series of hurdles, it will come at a steep price, and that price is the right of self-governance.

In return for being able to rework its debts, the people of Puerto Rico will be forced to relinquish their fundamental right to govern themselves and make their own decisions, the very same rights we fought to secure in a revolution 240 years ago.

What I am saying shouldn't come as a surprise to anyone who read the House Natural Resources Committee report, which was unequivocal when describing the vast powers this control board will exercise, which we will be voting on.

In an analysis by the nonpartisan Congressional Budget Office, it states: ''The board would have broad sovereign powers to effectively overrule decisions by Puerto Rico's legislature, governor and other public authorities.''

Let me repeat that. They will have broad sovereign powers. Words have consequences and meaning in legislation and in law. They will have broad sovereign powers to effectively overrule decisions made by the elected government of the 3½ million U.S. citizens who call Puerto Rico their home.

The Congressional Budget Office went on to say that the Board can ''effectively nullify''—cancel, goodbye, hasta la vista—''any new laws or policies adopted by Puerto Rico that did not conform to requirements specified in the bill.'' So not only can the control board set budgets and fiscal policy, it also has the power to veto other laws. Essentially, this means that the Board combines—think of this—the legislative powers of Congress with the veto powers of the Executive to form an omnipotent entity, the powers which are virtually unprecedented. We talk about checks and balances in our government as one of the creations by the Founders which was essential to a modern democracy. Well, we obliterate the checks and balances and the rights of the people of Puerto Rico by having an omnipotent entity, the powers of which are virtually unprecedented.

As the bill's own author noted in the markup memo, and I quote, ''[T]he Oversight Board may impose mandatory cuts on Puerto Rico's government and instrumentalities—a power far beyond that exercised by the Control Board established for the District of Columbia, when there was a control board, when the District of Columbia found itself in Fiscal Challenge.''

The fact that the Puerto Rican people will have absolutely no say over who is appointed or what action this Board decides is blatant neocolonialism. Instead, their fate will be determined by seven unelected, unaccountable members of a so-called oversight board that will act as a virtual oligarchy and impose their unchecked will on the island. If the Board uses the superpowers in this bill to close schools, shutter more hospitals, cut senior citizens' pensions to the bone, if it decides to hold a fire sale and put Puerto Rico's natural wonders on the auction block to the highest bidder, if it puts balanced budgets ahead of the health, safety, and well-being of children and families similar to the control board travesty that unfolded in Flint, there will be nothing the people of Puerto Rico or their elected representatives can do to stop them.

Of course the bill doesn't stop there. It also provides an exception to the Federal minimum wage for younger workers, and it exempts the island from recently finalized overtime protections. At a time when we are working to increase workers' wages, the people in the country have said through this election process: My wages are stagnant, and I feel I can't meet the challenges of myself and my family, PROMESA goes in the opposite direction, and it actually cuts workers' wages. It amazes me that the solution to get Puerto Rico's economy growing again is to ensure that workers make even less money. The island consists of 3½ million U.S. citizens, 40 percent of which are below the Federal poverty level, and now we are going to cut their wages. Lowering people's wages is not a pro-growth strategy. What it is, is a pro-migration strategy. All it will do is intensify outmigration to the mainland, where people who are U.S. citizens and happen to live in Puerto Rico are eligible for a higher minimum wage here, where they would have commonsense overtime protections, are eligible for full Medicare, Medicaid reimbursement, are eligible for the child tax credit as they try to raise their child and realize their hopes and dreams and aspirations, are eligible for the earned-income tax credit—all they have to do is take one flight to the United States. Yet we somehow think that a policy that subjugates these 3½ million citizens and takes away essential rights they have as American citizens is going to be a good fiscal policy for us as well.

Every time I talk about my brothers and sisters in Puerto Rico, I like to remind my colleagues in this Chamber and in the other that they have fought on behalf of America since World War

I. They have fought in World War II, the Korean war, Vietnam, Desert Storm, Desert Shield, Iraq, Afghanistan, and the War on Terror. As a matter of fact, if you go and visit the Vietnam Memorial as it commemorates its 50th anniversary, you will find a disproportionately high number of Puerto Rican names etched in that solemn black stone as compared to the rest of the American population.

I remember being in the Visitor Center when the Speaker of the House had a celebration of the 65th Infantry Division, an all-Puerto Rican division, one of the most highly decorated in U.S. history, known as the Borinqueneers. They received the Congressional Gold Medal, the highest honor Congress gives any citizen.

We talked about their enormous contributions, their sacrifices on behalf of the Nation. These men and women—many of whom gave their lives—still serve so we can remain the land of the free. They will go back home to where their freedom and their right to self-governance will be stripped. These heroes deserve the same rights and respect as U.S. citizens in New Jersey, Wisconsin, Pennsylvania, Florida, Utah, or any other State in the Nation, but what this bill tells the people of Puerto Rico is this: Though you may be good enough to wear the uniform of your country, you may be good enough to fight and die to defend the United States, you are not good enough to make your own decisions, govern yourself, and have a voice in your own future.

I am not advocating to completely remove all oversight powers—to the contrary. I support helping Puerto Rico make informed, prudent decisions that put it on the path to economic growth and solvency. Despite its name, the oversight board envisioned by this bill doesn't simply oversee, it directs and commands. It doesn't assist. It absolutely controls potentially every significant public policy decision that affects those 3½ million U.S. citizens.

The Senate has an opportunity to change that situation. We have a chance to improve this bill and strike the right balance. I want the opportunity to offer a number of targeted, commonsense amendments to restore a proper balance and ensure the people of Puerto Rico have a say in their future and to temper the powers of the control board and give the people of Puerto Rico more of a say as to who is on the Board that is going to determine their future for quite some time.

I know, as all of us do, that success is never guaranteed, but at the very least, the people of Puerto Rico deserve a thorough and thoughtful debate on the Senate floor.

I do not take lightly, nor should my colleagues, a decision to infringe upon the Democratic rights of the 3½ million U.S. citizens in Puerto Rico. Those 3½ million American citizens living in Puerto Rico and their 5 million family members living in our States and our districts deserve more than the Senate holding its nose to improve an inferior solution.

I am pleased to say that this sentiment has some bipartisan support. I sent a letter, with Senator WICKER, to Senate leadership asking for a full and thorough debate. I hope we do not get jammed at the final moment as an attempt to push an undemocratic bill through the Senate by waiting until the very end of this session as a tactical maneuver to avoid a thoughtful debate and an opportunity for amendments.

I took Majority Leader MCCONNELL at his word when he said: ''We need to open up the legislative process in a way that allows more amendments from both sides.'' I am hopeful he will honor that commitment.

Like some of my colleagues, I was once a Member of the House of Representatives, and I have enormous respect for that Chamber, but I didn't get elected to the Senate to abdicate my responsibility and simply rubberstamp whatever bills come over from the House of Representatives. I would hope we would immediately call up this bill for debate and do what we were elected to do—fix problems and make the lives of the American people better.

Just because these 3½ million citizens are Puerto Rican, they are no less a citizen than you or the Presiding Officer or my colleagues who are on the floor or those who get to serve in this institution. They deserve better. They deserve better than to be jammed with an undemocratic process that will affect their lives in ways far beyond anybody in this Chamber would be willing to accept.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. VITTER. Madam President, I ask unanimous consent that the mandatory quorum call be waived.

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

Mr. VITTER. Madam President, I ask unanimous consent that following and notwithstanding the adoption of the compound motion to go to conference on S. 524, that Senator SHAHEEN and Senator WHITEHOUSE or their designees be recognized to each offer a motion to instruct conferees and that there be 2 minutes of debate equally divided on the motions, and that following the use or yielding back of that time, the Senate vote on the motions to instruct conferees with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Vermont.

Mr. LEAHY. Madam President, I understand that prior to the cloture vote, the Democratic side still had some time. I yield back that time.

The PRESIDING OFFICER. All time is yielded back.

CLOTURE MOTION

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

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to disagree to the House amendments, agree to the request from the House for a conference, and the Presiding Officer appoint the following conferees: Senators Grassley, Alexander, Hatch, Sessions, Leahy, Murray, and Wyden with respect to S. 524, a bill to authorize the Attorney General and Secretary of Health and Human Services to award grants to address the national epidemics of prescription opioid abuse and heroin use, and to provide for the establishment of an inter-agency task force to review, modify, and update best practices for pain management and prescribing pain medication, and for other purposes.

John McCain, John Cornyn, Marco Rubio, Deb Fischer, Rob Portman, Roger F. Wicker, Richard Burr, Joni Ernst, David Vitter, James M. Inhofe, Dean Heller, Pat Roberts, Lamar Alexander, Ron Johnson, Tom Cotton, Thom Tillis, Mitch McConnell.

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

The question is, Is it the sense of the Senate that debate on the motion to disagree to the House amendments, agree to the request by the House for a conference, and to appoint conferees with respect to S. 524, a bill to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Further, if present and voting, the Senator from Florida (Mr. RUBIO) would have voted ''yea.''

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from Florida (Mr. NELSON), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

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

The yeas and nays resulted—yeas 95, nays 1, as follows:

[Rollcall Vote No. 100 Leg.]

YEAS—95

Alexander	Blunt	Capito
Ayotte	Booker	Cardin
Baldwin	Boozman	Carper
Barrasso	Brown	Casey
Bennet	Burr	Cassidy
Blumenthal	Cantwell	Coats

Cochran	Hoeven	Reed
Collins	Inhofe	Reid
Coons	Isakson	Risch
Corker	Johnson	Roberts
Cornyn	Kaine	Rounds
Cotton	King	Sasse
Crapo	Kirk	Schatz
Cruz	Klobuchar	Schumer
Daines	Lankford	Scott
Donnelly	Leahy	Sessions
Durbin	Manchin	Shaheen
Enzi	Markey	Shelby
Ernst	McCain	Stabenow
Feinstein	McCaskill	Sullivan
Fischer	McConnell	Tester
Flake	Menendez	Thune
Franken	Merkley	Tillis
Gardner	Mikulski	Toomey
Gillibrand	Moran	Udall
Graham	Murkowski	Vitter
Grassley	Murphy	Warner
Hatch	Murray	Warren
Heinrich	Paul	Whitehouse
Heitkamp	Perdue	Wicker
Heller	Peters	Wyden
Hirono	Portman	

NAYS—1

Lee

NOT VOTING—4

Boxer	Rubio
Nelson	Sanders

The PRESIDING OFFICER. On this vote, the yeas are 95, the nays are 1.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The question occurs on agreeing to the compound motion to go to conference on S. 524.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from New Hampshire.

MOTION TO INSTRUCT

Mrs. SHAHEEN. Mr. President, I have a motion to instruct the conferees at the desk, which I ask the clerk to report.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from New Hampshire [Mrs. SHAHEEN] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on S. 524 (the Comprehensive Addiction and Recovery Act of 2016) be instructed to insist that the final conference report include funding for prevention, treatment, and recovery associated with state and local efforts needed to combat the national heroin and opioid epidemic.

The PRESIDING OFFICER. There will be 2 minutes equally divided for debate.

The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, the opioid crisis is a national public health emergency, and it is long past time that Congress treat it like one. It is shattering families and communities, especially in New Hampshire but also all across this country. In New Hampshire, we are losing a person a day to drug overdoses.

The CARA bill is a good bill. I cosponsored it. I think it is important. But without real dollars, it is the equivalent of offering a life preserver with no air in it.

I urge all of my colleagues to support this motion to instruct and support real funding in this bill.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. MCCONNELL. Mr. President, it is my understanding that the next vote, the Whitehouse vote, can go by a voice vote—sorry about that.

The PRESIDING OFFICER. Is there debate in opposition to the Senator's motion?

Mr. MCCONNELL. Mr. President, I yield back the remainder of our time.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to the motion.

The yeas and nays have been previously ordered.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from Vermont (Mr. LEAHY), the Senator from Florida (Mr. NELSON), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

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

The result was announced—yeas 66, nays 29, as follows:

[Rollcall Vote No. 101 Leg.]

YEAS—66

Alexander	Franken	Murphy
Ayotte	Gillibrand	Murray
Baldwin	Graham	Paul
Bennet	Grassley	Peters
Blumenthal	Heinrich	Portman
Booker	Heitkamp	Reed
Brown	Hirono	Reid
Burr	Hoeven	Roberts
Cantwell	Isakson	Rounds
Capito	Kaine	Schatz
Cardin	King	Schumer
Carper	Kirk	Shaheen
Casey	Klobuchar	Stabenow
Cassidy	Manchin	Tester
Coats	Markey	Thune
Cochran	McCain	Toomey
Collins	McCaskill	Udall
Coons	Menendez	Warner
Cruz	Merkley	Warren
Donnelly	Mikulski	Whitehouse
Durbin	Moran	Wicker
Feinstein	Murkowski	Wyden

NAYS—29

Barrasso	Fischer	Perdue
Blunt	Flake	Risch
Boozman	Gardner	Sasse
Corker	Hatch	Scott
Cornyn	Heller	Sessions
Cotton	Inhofe	Shelby
Crapo	Johnson	Sullivan
Daines	Lankford	Tillis
Enzi	Lee	Vitter
Ernst	McConnell	

NOT VOTING—5

Boxer	Nelson	Sanders
Leahy	Rubio	

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Rhode Island.

MOTION TO INSTRUCT

Mr. WHITEHOUSE. Mr. President, I have a motion to instruct conferees at the desk, which I ask the clerk to report.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Rhode Island [Mr. WHITEHOUSE] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the House amendments to the bill S. 524 (the Comprehensive Addiction and Recovery Act of 2016) be instructed—

(1) to reject proposals that would replace the individual prevention, treatment, law enforcement, and recovery programs authorized in S. 524, including the incentive grant program authorized in section 601, with a single grant program with multiple allowable uses;

(2) to insist that the final conference report include authorizations explicitly designated for grants to States, and in the case of States that do not have prescription drug monitoring programs, units of local government that do have such programs, to strengthen the use of and make improvements to prescription drug monitoring programs;

(3) to insist that the final conference report address the unique needs of rural communities, which are among the hardest hit by opioid abuse in the United States and are often in the most dire need of improved emergency services and more accessible treatment infrastructure;

(4) to insist that the final conference report authorize those provisions of S. 1641 that were approved by the Committee on Veterans' Affairs of the Senate; and

(5) to insist that the final conference report include the provisions of S. 1455 as reported by the Committee on Health, Education, Labor, and Pensions of the Senate.

Mr. WHITEHOUSE. Colleagues, this motion to instruct has bipartisan support from the authors of CARA. It reflects the bipartisan work that was done on CARA, and we hope that this motion to instruct will get a strong bipartisan vote.

This motion supports the bipartisan Senate work on the CARA bill that passed this body 94 to 1. It supports the bipartisan language worked out between Senator BLUNT and Senator MCCASKILL on the Missouri county prescription drug management program issue. It supports a focus on the rural communities for which opioid has been a plague, which is a bipartisan concern. It supports the passed bipartisan version of the veterans opioids measure from the Senate Committee on Veterans' Affairs. And it supports the Senate HELP Committee's passed bipartisan version of the bipartisan TREAT Act.

If we can pull together as a Senate, we can have a really great bill. Please send the conferees a strong bipartisan vote.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I concur in the comments of my colleague. This is the CARA legislation which passed here on a 94-to-1 vote. This is simply a motion saying we support what we have already passed. I urge my colleagues to support it.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to the motion.

Mr. WHITEHOUSE. 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 Oklahoma (Mr. INHOFE) and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from Vermont (Mr. LEAHY), the Senator from Florida (Mr. NELSON), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The result was announced—yeas 70, nays 24, as follows:

[Rollcall Vote No. 102 Leg.]

YEAS—70

Alexander	Gillibrand	Murphy
Ayotte	Graham	Murray
Baldwin	Grassley	Paul
Bennet	Hatch	Peters
Blumenthal	Heinrich	Portman
Blunt	Heitkamp	Reed
Booker	Hirono	Reid
Boozman	Hoeven	Rounds
Brown	Isakson	Schatz
Burr	Johnson	Schumer
Cantwell	Kaine	Shaheen
Capito	King	Stabenow
Cardin	Kirk	Sullivan
Carper	Klobuchar	Tester
Casey	Manchin	Thune
Cassidy	Markey	Tillis
Collins	McCain	Udall
Coons	McCaskill	Vitter
Cruz	McConnell	Warner
Donnelly	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Mikulski	Wyden
Fischer	Moran	
Franken	Murkowski	

NAYS—24

Barrasso	Enzi	Risch
Coats	Ernst	Roberts
Cochran	Flake	Sasse
Corker	Gardner	Scott
Cornyn	Heller	Sessions
Cotton	Lankford	Shelby
Crapo	Lee	Toomey
Daines	Perdue	Wicker

NOT VOTING—6

Boxer	Leahy	Rubio
Inhofe	Nelson	Sanders

The motion was agreed to.

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

The PRESIDING OFFICER (Mr. CASSIDY). The Senator from South Carolina.

Mr. SCOTT. Mr. President, I ask unanimous consent that the Senate be in a period of debate only for the next 30 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

REMEMBERING THE VICTIMS OF THE MOTHER EMANUEL AME CHURCH MASS SHOOTING

Mr. SCOTT. Mr. President, a few weeks ago, when I started preparing to give this speech, I must admit I was overwhelmed with emotion. One year ago tomorrow, a brutal attack, fueled by hate, led to the deaths of nine parishioners at Mother Emanuel AME Church in my hometown of Charleston, SC.

A year later, the idea that someone's heart could be filled with so much anger and venom is still jarring.

Then, over the weekend, we saw it again. In Orlando, FL, a brutal attack, fueled by hate, led to the deaths of 49 people at the Pulse nightclub. This was an assault against the people of Orlando, the State of Florida, and the United States as a whole.

We can, and we will, have a much longer discussion on ISIS, Islamic terror, and the steps that must be taken in those areas. But today, as Orlando mourns and Charleston remembers, I want to return to 365 days ago and show how, with the world watching, love overcame hate.

On the night of June 17, 2015, I was here in Washington. Much like this week, we were debating the NDAA and our military priorities. But in Charleston, there was a Bible study. Cynthia Hurd, Susie Jackson, Ethel Lee Lance, Depayne Middleton-Doctor, Tywanza Sanders, Daniel Simmons, Sharonda Coleman-Singleton, Myra Thompson, Felicia Sanders and her 5-year-old granddaughter, Polly Sheppard, and my friend, the Reverend Clementa Pinckney, had gathered together for a Bible study at Mother Emanuel.

Among them was a young man who was new to Emanuel—a young man they welcomed into their presence with God's love. While they did not and could not possibly see the darkness in his heart, they showed him the loving nature of their own hearts—so much so that he later told police that he almost, almost did not go through with this vicious, vile attack because everyone was so nice to him. But, tragically, almost was not enough.

In an instant, the horrors unleashed by this young man changed South Carolina forever. I remember getting a phone call about 9 o'clock p.m. on that Wednesday night from one of my friends at the Sheriff's office about the shooting at Mother Emanuel. Reports continued to come in, and so I texted my friend, Clementa Pinckney, hoping that he would respond and tell me what was going on at the church.

I am looking at my texts from June 17, 2015, at 10:31 p.m. I asked him: Are you and your parishioners OK? It was met with silence—silence that is still deafening, silence that I will never forget.

He should have been able to text back. He should have been able to go home and see his family, raise his daughters. He should have been able to have gone on and finished his work as a State senator in the statehouse and to continue spreading God's love. As we people of faith know, sometimes things simply don't go as they are planned. But as the families of the Emanuel nine showed you, God had a plan.

Within 48 hours, these men and women set the tone for my grieving city, my grieving State, and my grieving Nation. On Friday morning, about 36 hours later, looking into the killer's eyes, they said to the killer of their family members: ''I forgive you.''

Family member after family member, nine consecutive times, to the shock and the amazement of the world that was watching, said: ''I forgive you.'' Your life can be better in God's hands.

Those of us here today cannot even imagine how hard that must have been—how in their immense grief, these families chose to take this unique path. But they did. We as a nation, as a State, and certainly as a city are forever thankful.

I am fortunate enough to have had the opportunity to talk to many and all of the families at some point. I continue to be amazed at their grace, their dignity, and their righteousness. They have truly been the rock on which we all stand. In the days and weeks after the shooting, Charleston and South Carolina came together like never before. As the clergy and parishioners at Mother Emanuel said after the attack: ''Wrong church, wrong people, wrong day.''

It was the wrong place to try and sow the seeds of discord. It was the wrong people to try and break their faith and the wrong day to try and bring down the people of South Carolina.

Last summer, we saw chapters of history close and new ones open. While the debate over the Confederate flag may be the most widespread symbol of Emanuel's aftermath, the actions and words of folks across Charleston and South Carolina are the most enduring.

Looking ahead, we have come so far, but we certainly still face many challenges. It is going to take a lot of effort and strength to stand together in times of division. It is going to be hard sometimes in a world that is too often so full of hate to know that we are still taking steps forward, and it is going to require a continuing conversation on issues that are uncomfortable for some but necessary for all.

So where are we headed from here? Three words show where I believe that we, as a nation, are headed. These three words show where I believe we, as a nation, must head. They are simple words—words found in 1 Corinthians 13: faith, hope, and love. We saw these in abundance throughout South Carolina over the past year, and they remain our final goal.

As I head back to Charleston tonight, I will be thinking about the events honoring the Emanuel nine tomorrow. I am certain there will be tears—lots of tears. There will be moments, as there have been in the last few minutes, when it will be hard to speak, to truly show what all of this means to all of us, but the world will also see this from Charleston, SC: They will see that you can cannot destroy love with hate and that you cannot kill the spirit. We

have not been torn down by this fury of hate, but instead we will continue to build a bridge, brick by brick, to a future without hate, a future filled with faith, hope, and love.

I will close by asking one more time, as I did a little more than a year ago in this very same place for a moment of silence to remember Cynthia Hurd, Susie Jackson, Ethel Lee Lance, Depayne Middleton-Doctor, Tywanza Sanders, Daniel Simmons, Sharonda Coleman-Singleton, Myra Thompson, and my good friend and former State Senator, the Reverend Clementa Pinckney.

You are forever in our hearts.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I wish to thank Senator SCOTT for his eloquent words on behalf of our State and the leadership he has provided since this horrible tragedy a year ago.

What can I add? I will just remind people who might not remember why he did it that his goal was to start a race war. Well, he failed miserably. Quite the opposite happened in my State. I have never seen anything quite like it.

We have had our fair share of problems in South Carolina, and still do, but churches all over the State were filled. Black, White, rich, poor—all came together to help each other. So this young man's dream of starting a race war was a miserable failure.

I am sure this guy who attacked the nightclub in Orlando wanted to break our will and try to get us to kowtow to a radical form of religion. Well, you are not going to break a will. We will all stand behind the folks in Orlando and come together as a nation as best we can.

Senator SCOTT said it is hard to understand the hate that someone has to do what these two people did. What blows my mind is how someone can go and sit in a Bible study for an hour, after being welcomed in off the street to discuss the Word of God, and then get up and shoot the people you have been praying with. I don't know how you get there. Only God knows that. And what this man did in Orlando was beyond vicious.

Here is a question that I have asked myself a thousand times, and I am beginning to understand the answer: Why was it different in South Carolina? We have had shootings throughout the country where people took to the streets. There were riots, sores were exposed, and scabs were pulled off old wounds. What was it about South Carolina that was different? I promise you that we are not a perfect people. I promise you that under the right circumstances, what you saw in other places in the country would have happened in South Carolina.

Here is the difference: We were all in such a state of shock that somebody could come into a church and just randomly kill the people they prayed with. It was hard to get our heads around the thought of somebody being able to do that. But what woke us up was the way the families behaved.

Senator SCOTT indicated that within 48 hours of the killing, there was an arraignment of the accused, and all the family members appeared in court. Instead of taking to the streets and showing their frustration with a system that I am sure can always be made better and is far from perfect, they decided to channel their grief into something constructive, not destructive, and I promise you I could not have done this. If this had been one of my family members, I know LINDSEY GRAHAM well enough to know I could not have done this. I consider myself person of faith but lacking when it comes to folks at Mother Emanuel AME Church. Nadine Collier, the daughter of Ethel Lance, who was 70 years old, said the following, as her voice was breaking:

> You took something very precious from me. I will never talk to her again. I will never, ever hold her again. But I forgive you. And have mercy on your soul.

That is what is different. That is why the people of South Carolina followed her lead. She and the victims touched our hearts. They appealed to our better nature and reminded us of what humanity is all about. It is about love and forgiveness. Politicians—we can take all the credit we want, but if these people had not done this, it would have been a different result. I could have talked until I was blue in the face. If people had chosen to be angry, there was no way in hell I could have talked them into not being angry because they have every right to be angry. But because these people did what they did in open court, the rest of us followed behind and followed their lead.

A year later I am here to tell you that the reason South Carolina handled this so well, in my view, is that the people in that church chartered a path for the rest of us, and we were smart enough to follow their lead. It would be nice if, in the future, when we get mad at each other here in this body and other places throughout the country over something maybe not as important as losing a loved one, we could slow down for just a moment and try to imagine how things would be different if we could draw upon the example of the families of the fallen.

Look what we argue about. Look how we interact in America today over things not quite as significant as having your loved one gunned down. If you really want to honor what happened in South Carolina, as an individual and a society, whenever you can, remember what the people in that church did after losing their loved ones, and try to follow their lead. That would be the greatest respect you could pay to those families and the greatest honor you could give to those who died for no good reason.

I need to follow my own advice. There is no better feeling in the world than being petty and thinking of a reason you were wronged. It feels good. But every now and then I catch myself. I go back to last year and wake up and realize that there is a better way.

To those who showed us that better way, I know your pain is as real as it was on the day this happened. I know you will never get over it, but I hope you realize that your loved ones did not die in vain because, through their tragic deaths, you gave us—not just in South Carolina but throughout the world—the way forward. Whether we choose it or not is up to us. You have done all you could do and then some.

To the people of South Carolina: I am proud of the way we handled this tragedy, but we have a long way to go. This weekend will be tough throughout our State, and as we look back, let's make sure that we learn from the past and apply it to the future. If we can take that love and forgiveness and apply it in a constructive way to future problems in South Carolina, then we will have honored these victims and their families. If we go back to our petty ways, they will have died for nothing.

Here is my bet: South Carolina is never going to go back because the people of Mother Emanuel AME Church showed us the way. It is up to us to follow them, and I will do my best to follow their lead.

To the people throughout the country who have been generous to this church, thank you for the dollars that have been raised. It is appreciated. Thank you for your prayers and the support you have given. It was essential. You helped us in our time of greatest need.

On behalf of the people of South Carolina to the people of this great land, thank you for having us in your prayers and for your support and for being there for us a year ago when we needed you the most.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

PIPES ACT

Mr. PETERS. Mr. President, this week I was pleased that the Senate acted unanimously to pass a pipeline safety bill that will help ensure the safety of our Nation's vast energy pipeline network.

The bipartisan bill, known as the PIPES Act of 2016, now heads to the President's desk to be signed into law. Safely transporting energy to our communities and businesses is a goal that we all share. It was encouraging to see my colleagues come together on both sides of the aisle and on both sides of the Capitol, as well, to come up with a final product that will improve pipeline safety and oversight.

With more than 2.6 million miles of oil and gas pipelines across this Nation, the energy industry must work together at all levels of government in order to protect lives, communities, and our environment. Pipelines can be one of the safest ways to move oil and gas products; however, we have seen

truly devastating explosions and spills with pipelines, including in my home State of Michigan. The cost to clean up an oil spill from a pipeline break near Marshall, MI, into the Kalamazoo River has totaled over $1.2 billion. A similar spill in the Great Lakes would be devastating to our economy, environment, and drinking water supply.

The transition to a clean energy economy is one of my top priorities, but in the meantime, as we push this transition forward, we cannot accept that pipeline spills are simply the cost of doing business. Our safety regulators must be equipped with the tools and equipment to better prevent pipeline accidents, protect public safety, and demand accountability when things invariably go wrong.

Our pipeline transportation system must be more transparent, and technology will continue to provide better insight into the pipeline network without compromising national security and proprietary information. Our land, air, water, and wildlife must be safeguarded against leaks and spills. By enhancing safety standards, we can reduce waste and cleanup costs while making sure we can proudly pass down a strong outdoor heritage to the next generation. We can also create jobs for our construction workers, pipefitters, steelworkers, and utility workers as we upgrade pipelines and fit them with state-of-the-art technology.

The PIPES Act will make strides in these and many other areas. I was especially focused on creating measures to safeguard against the catastrophic consequences of an oil spill in our precious waterways, especially the Great Lakes. Thanks to a provision I originally worked on with my colleague Senator STABENOW, the entire Great Lakes Basin will be designated as an unusually sensitive area. This will make any pipeline that could spill in and around the Great Lakes area subject to higher standards for operating safety. The bill also adds coastal beaches and maritime coastal waters as areas that should be considered when making an ''unusually sensitive'' determination.

We also must recognize the unique regional challenges our Nation's far-reaching pipeline network present. In Michigan, we get serious winters. Lakes and rivers freeze, and even the Great Lakes end up under very thick ice cover. To address these challenges, I worked to include a provision requiring pipeline operators to prepare response plans that address cleanup of an oilspill in ice-covered waters. The Coast Guard has stated that it does not have the technology or the capacity for worst-case discharge cleanup under solid ice and that its response activities are not adequate in ice-choked waters. We need to address this problem now before a spill under ice-covered water happens.

Any oil pipeline that is deeper than 150 feet underwater will be required to undergo an inspection every year as a result of this bill. This requirement would be especially relevant for pipelines running through the Great Lakes, especially the twin oil pipelines resting on the lakebed in the Straits of Mackinac. The bill also establishes emergency order authority so that PHMSA can take quick action to ensure safety when pipelines pose an imminent threat.

This bill goes beyond just addressing pipelines; it also directs the Department of Transportation to issue minimum safety standards for underground natural gas storage facilities. The dangers of a leak from an underground storage facility was illustrated in a massive methane leak at a facility in California just a few short months ago which resulted in evacuations and an emergency declaration. These new standards are especially important for my home State of Michigan because we have more underground natural gas storage facilities than almost any other State in the Union.

Other sections of the PIPES Act encourage collaboration on research, development, mapping, and technology between Federal agencies, public stakeholders, and industry leaders. All of these constituencies were key to providing input into this bill.

I would like to thank Senators FISCHER, BOOKER, and DAINES, and of course Chairman THUNE and Ranking Member NELSON for their hard work on the PIPES Act. The Energy and Commerce Committee and the Committee on Transportation and Infrastructure in the House were also instrumental in making changes and important improvements.

As we continue to move forward and find better ways to meet our energy needs, it is my hope that we can learn from past catastrophes and prevent future ones before they ever occur.

The bipartisan PIPES Act can be a model for how we work together to improve performance and raise our standards in the energy sector.

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

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

RECOVERING MISSING CHILDREN ACT

Mr. CASEY. Mr. President, I rise to speak on the Recovering Missing Children Act. This bill provides law enforcement with an important tool to help find missing or exploited children.

Each year more than 200,000 children are abducted by their parents or other close relatives, according to the National Center for Missing & Exploited Children. In many of these cases, the IRS has information that could aid law enforcement in locating a child who has been abducted by a family member.

A study by the Treasury Inspector General for Tax Administration found that in more than a third of the cases reviewed, the IRS has tax returns on file which used the Social Security number of a missing child. Of those, 46 percent had a new address on file, for a 13.4-percent total. However, the IRS cannot share this protected, confidential information with law enforcement officials since the Tax Code prevents the IRS from sharing the information unless specifically authorized as an exception to nondisclosure.

Senator ENZI and Senator KLOBUCHAR and I have introduced bipartisan legislation, the Recovering Missing Children Act, to aid in the recovery of missing children by providing a new tool to help law enforcement officials locate missing children and their alleged abductors. The bill amends the Internal Revenue Code to permit the disclosure of relevant tax information explicitly for the purpose of aiding criminal investigations into missing or exploited children. Specifically, the act ensures that select taxpayer information will only be released to law enforcement officials as part of a legitimate investigation or a judicial proceeding under the orders of a Federal judge.

The act amends the law to allow for Federal law enforcement to share information on a limited basis with State and local law enforcement that are part of the team directly involved in investigating and prosecuting such cases. Many investigations into missing and exploited children are conducted at the State and local level.

The act provides a commonsense fix that maintains an existing balance between taxpayer privacy and judicious release of information that will make a meaningful difference to a child's safety. For the families who are affected, the reality that their child is missing is devastating. If there is a step we can take to increase the likelihood that the missing child will be returned home, then we have an obligation to act. This is such a step.

I proudly have worked with both Senators KLOBUCHAR and ENZI on this important issue since 2011, and I am glad to have the endorsement of both the National Center for Missing & Exploited Children and the National Association of Police Organizations.

If the provisions in this bill can bring one child back to their rightful families safe and sound, it is worth it. This will assist those who have been searching and spending sleepless nights worried about their missing children and do it in a way that doesn't undermine Americans' privacy.

With that, Mr. President, I ask unanimous consent that the Finance Committee be discharged from further consideration of H.R. 3209 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

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

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

Mr. CASEY. I further 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 with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The bill (H.R. 3209) was ordered to a third reading, was read the third time, and passed.

Mr. CASEY. Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I wish to congratulate all who have worked on this bill but particularly Senator CASEY's leadership and Senator KLOBUCHAR's leadership on this issue that just passed.

Here is a terrible thought: Every year, thousands of children are abducted and taken away from their homes. This bill provides new tools to connect missing and exploited children with their families, while also respecting important and appropriate safeguards of taxpayer privacy.

Senators CASEY, KLOBUCHAR, and I have worked together on this matter for several years. We worked with outside groups such as the National Center for Missing & Exploited Children and the National Association of Police Organizations, and we are proud that both organizations have endorsed this legislation.

With new tools and better collaboration between Federal and State authorities, law enforcement agencies can send a strong signal to those who are perpetrating this type of crime. I hope this act will help law enforcement officials solve these cases more quickly for the benefit of the youth who have been exploited.

I yield the floor to my colleague from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I am proud to join my colleagues Senator CASEY from Pennsylvania and Senator ENZI from Wyoming to speak in support of our bipartisan legislation, the Recovering Missing Children Act, something we have been working on for so long.

I remember hearing about this in a Judiciary Committee hearing and learning about the surprising number of cases that can be solved when this information from the IRS is shared with law enforcement. It sounds almost absurd that information is sitting in government files of where a child who has been abducted is living, but in fact it is. Oftentimes the abductor claims the child on taxes or has their address on their taxes and it is as easy as looking at a file. A family can be reunited, and a child who wasn't supposed to be taken from their home can be brought back to their home.

As my colleagues have noted, our bill would give law enforcement officers important tools to solve some of the most heartbreaking cases. To accomplish this, the bill will offer information sharing by Federal law enforcement officers on a limited basis. It was something we discussed at length in the Judiciary Committee, and I know we also discussed it in the Finance Committee with the State and local law enforcement officials who are involved in the investigation and prosecution of a case. Under current law, the IRS is barred from sharing its taxpayer information with local law enforcement, even though in many cases the IRS actually has the location of the child. Imagine a hardworking local police officer out trying to find a kid, looking everywhere, following up on every lead, and our own government has the information in their files. This is a narrow exception that allows this information to be shared.

As a former prosecutor, I know firsthand that returning missing children to their families is one of the most important tasks law enforcement officers have, and they need every resource available to do their job. The faster law enforcement can locate the child, the greater the likelihood the child can be returned to their family unharmed, and they can go on to live a normal life.

I do want to mention one person who has been someone I talk to about missing and exploited children issues, and that is Patty Wetterling from the State of Minnesota. There was a horrible case in which her son Jacob was abducted years and years ago and never found. She served as the chair on the board of the missing and exploited children group. She has done so much work nationally and locally. While we don't believe this would have helped in Jacob's case, she did it for all those other children who are still out there. So this one is for you, Patty. Thank you.

I yield the floor.

Mr. ENZI. 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.

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

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

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

MASS SHOOTING IN ORLANDO AND STANDING AGAINST HATRED AND INTOLERANCE

Mrs. FISCHER. Mr. President, I rise to offer my heartfelt condolences to the victims and the families of the terrorist attack in Orlando. As a mother, my heart breaks for the parents of the victims. As an American, I share in a profound sense of sorrow for the loss of innocent life.

Many questions remain unanswered. Did the terrorist communicate with foreign terrorist groups? If so, how did they interact and what level of support or direction did they provide? What was his path to radical Islamism and what lessons can we learn to stop others on this path to violence? Was his association with jihadist groups simply a superficial one to mask deep personal hatred?

In the coming days, investigators will compile evidence to answer these and many other questions. While there is much we do not know about the attacks in Orlando, there are a few very important things we do know. We know 49 people were killed, and 53 others were injured. We know their families are suffering and we grieve with them. We know the gay community was specifically targeted. There is something else we know. This attack was brought against innocent people.

While knowledge of the specific circumstances of this tragedy will hopefully help us improve our efforts to fight terrorism and radicalization, for the victims of this horrific attack—indeed, for many Americans—such information can seem irrelevant. This is because the attack is an assault on the age-old Western value of social pluralism. These are American values—ones we hold dear. These are the principles which forbid violence on others, no matter how strongly you may disagree with them. This is a basic conviction that unites Americans.

We have many disagreements in our country. We have them in this Chamber, we have them at work, and we have them around the dinner table. Sometimes our words are harsh, sometimes our words are heated, but we don't kill people who disagree with us. We protect their rights to think differently. This is a key part of our identity as Americans.

The attack in Orlando reminds us that we are in the middle of a global battle between two ways of life: one of open democracy and one of violent jihadism. Our way—the American way—values pluralism. It permits dissent from dominant social and political views. It protects the freedom of expression and the freedom of religion. It defends our shared human dignity. In our society, the value of your life is not determined by your views. Here, your life has value because you exist. That is good enough for us.

That is not good enough for radical Islam. Its followers do not believe these things. They impose uniformity and destroy dissent. For radical Islamists, there is no ''live and let live.''

Their ideology demands obedience. It allows only one way to live your life

and demands that people who think differently, live differently, or pray differently stop thinking, living, and praying as they do. Radical Islamism does not use words to get what it wants. We observe its methods in Syria through ISIL. There, they stone women and throw men from buildings for violating their code.

This contempt for other cultures drives them to destroy historical artifacts and ancient holy sites. They are exterminating entire communities of people for practicing a different set of religious beliefs, and they celebrate it. They are posting gruesome videos of their heinous acts online. They are using this combination of violence and twisted ideology as propaganda. They are seducing disaffected individuals to join their perverse quest.

While the extent to which the Orlando shooter was influenced by this incitement is unclear, he clearly identified with ISIL's barbaric glorification of violence.

This is why we must unite to ensure ISIL's lasting defeat. Defeat on the battlefield will greatly diminish the rhetorical power of their calls to butcher, to pillage, and to defile.

However, responding to this terror is the shared responsibility of all Americans and not reserved only for the military or law enforcement. This was an assault on our belief in pluralism, an attack against each of us. We all have a role in the response. Our law enforcement and intelligence communities will no doubt lead the way, but individual Americans can and should answer this attack.

I conclude with a call to action for every American, no matter where they may be. Find someone with whom you deeply disagree and let them know you value them. Seek that person out. Tell them you respect them for who they are, regardless of your deeply held differences. We can do this at work or at home, in the grocery store or at the doctor's office. In our day-to-day lives, we can deliver a direct challenge to radical Islamists. By treating each other with dignity and respect, we can play our part in responding to this tragedy.

Basic human rights, freedom of expression, freedom of religion, and freedom of assembly are endowed to all of us. By asserting our value of pluralism confidently, we can stand against the forces of hatred and intolerance.

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

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

COMMITTEE-REPORTED AMENDMENT WITHDRAWN

Mr. SHELBY. Mr. President, on behalf of the Appropriations Committee, I withdraw the committee-reported amendment to H.R. 2578.

The PRESIDING OFFICER. The amendment is withdrawn.

AMENDMENT NO. 4685

(Purpose: In the nature of a substitute)

Mr. SHELBY. Mr. President, I offer amendment No. 4685 as a committee-reported substitute amendment.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Alabama [Mr. SHELBY] proposes an amendment numbered 4685.

Mr. SHELBY. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The amendment is printed in the RECORD of June 15, 2016, under ''Text of Amendments.'')

AMENDMENT NO. 4720 TO AMENDMENT NO. 4685

Mr. MCCONNELL. Mr. President, I call up the Feinstein amendment No. 4720 to the substitute amendment.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for Mrs. FEINSTEIN, proposes an amendment numbered 4720 to amendment No. 4685.

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

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

The amendment is as follows:

(Purpose: To authorize the Attorney General to deny requests to transfer a firearm to known or suspected terrorists)

At the appropriate place, insert the following:

SEC. _____. Hereafter, the Attorney General may deny the transfer of a firearm if the Attorney General determines, based on the totality of the circumstances, that the transferee represents a threat to public safety based on a reasonable suspicion that the transferee is engaged, or has been engaged, in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources therefor. For purposes of sections 922(t)(1), (2), (5), and (6) and 925A of title 18, United States Code, and section 103(g) of Public Law 103–159 (18 U.S.C. 922 note), a denial by the Attorney General pursuant to this provision shall be treated as equivalent to a determination that receipt of a firearm would violate section (g) or (n) of section 922 of title 18, United States Code, or State law. A denial described in this section shall be subject to the remedial procedures set forth in section 103(g) of Public Law 103–159 (18 U.S.C. 922 note) and the intended transferee may pursue a remedy for an erroneous denial of a firearm under section 925A of title 18, United States Code. Notwithstanding any other provision of law, such remedial procedures and judicial review shall be subject to procedures that may be developed by the Attorney General to prevent the unauthorized disclosure of information that reasonably could be expected to result in damage to national security or ongoing law enforcement operations, including but not limited to procedures for submission of information to the court ex parte as appropriate, consistent with due process. The Attorney General shall establish, within the amounts appropriated, procedures to ensure that, if an individual who is, or within the previous 5 years has been, under investigation for conduct related to a Federal crime of terrorism, as defined in section 2332b(g)(5) of title 18, United States Code, attempts to purchase a firearm, the Attorney General or a designee of the Attorney General shall be promptly notified of the attempted purchase.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4749 TO AMENDMENT NO. 4720

Mr. MCCONNELL. Mr. President, I call up the Cornyn amendment No. 4749 to the Feinstein amendment.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for Mr. CORNYN, proposes an amendment numbered 4749 to amendment No. 4720.

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

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

The amendment is as follows:

(Purpose: To Secure our Homeland from radical Islamists by Enhancing Law enforcement Detection (''SHIELD''))

At the end add the following:

SEC. 5____. Hereafter, the Attorney General shall establish a process by which—

(1) the Attorney General and Federal, State, and local law enforcement are immediately notified, as appropriate, of any request to transfer a firearm or explosive to a person who is, or within the previous 5 years was, investigated as a known or suspected terrorist;

(2) the Attorney General may delay the transfer of the firearm or explosive for a period not to exceed 3 business days and file an emergency petition in a court of competent jurisdiction to prevent the transfer of the firearm or explosive, and such emergency petition and subsequent hearing shall receive the highest possible priority on the docket of the court of competent jurisdiction and be subject to the Classified Information Procedures Act (18 U.S.C. App.);

(3) the transferee receives actual notice of the hearing and is provided with an opportunity to participate with counsel and the emergency petition shall be granted if the court finds that there is probable cause to believe that the transferee has committed, conspired to commit, attempted to commit, or will commit an act of terrorism, and if the petition is denied, the Government shall be responsible for all reasonable costs and attorneys' fees;

(4) the Attorney General may arrest and detain the transferee for whom an emergency petition has been filed where probable cause exists to believe that the individual has committed, conspired to commit, or attempted to commit an act of terrorism; and

(5) the Director of the Federal Bureau of Investigation annually reviews and certifies the identities of known or suspected terrorists under this section and the appropriateness of such designation.

MOTION TO COMMIT WITH AMENDMENT NO. 4750

Mr. MCCONNELL. Mr. President, I move to commit the bill to the Judiciary Committee with instructions.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] moves to commit the bill to the Judiciary Committee with instructions to report back forthwith with an amendment numbered 4750.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4751

(Purpose: To address gun violence and improve the availability of records to the National Instant Criminal Background Check System)

Mr. MCCONNELL. Mr. President, I send a Grassley amendment to the instructions to the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for Mr. GRASSLEY, proposes an amendment numbered 4751 to the instructions of the motion to commit.

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

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

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4752 TO AMENDMENT NO. 4751

Mr. MCCONNELL. Mr. President, I send a second-degree amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 4752 to amendment No. 4751.

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

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

The amendment is as follows:

At the end add the following:

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

CLOTURE MOTION

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

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Senate amendment No. 4751, to the instructions of the motion to commit H.R. 2578, an act making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, Roger F. Wicker, Thad Cochran, Tom Cotton, Thom Tillis, John Boozman, Richard C. Shelby, John Hoeven, Pat Roberts, Joni Ernst, Mike Rounds, John Cornyn, John Barrasso, Deb Fischer, Johnny Isakson, David Vitter, James M. Inhofe.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for the motion to commit with instructions.

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 the McConnell motion to commit H.R. 2578 to the Judiciary Committee with instructions (Murphy amendment No. 4750).

Harry Reid, Jeff Merkley, Jeanne Shaheen, Kirsten E. Gillibrand, Amy Klobuchar, Claire McCaskill, Debbie Stabenow, Charles E. Schumer, Sherrod Brown, Mark R. Warner, Richard Blumenthal, Tom Udall, Tammy Baldwin, Jack Reed, Robert P. Casey, Jr., Angus King, Jr., Brian E. Schatz.

CLOTURE MOTION

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

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. 4749 to amendment No. 4720 to Calendar No. 120, H.R. 2578, an act making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes.

Mitch McConnell, Tom Cotton, Thom Tillis, John Boozman, Richard C. Shelby, John Hoeven, Pat Roberts, James M. Inhofe, David Vitter, Joni Ernst, Mike Rounds, John Cornyn, John Barrasso, Deb Fischer, Cory Gardner, Shelley Moore Capito, Johnny Isakson.

CLOTURE MOTION

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

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 the Feinstein amendment No. 4720 to Shelby amendment No. 4685 to H.R. 2578.

Harry Reid, Jeff Merkley, Jeanne Shaheen, Kirsten E. Gillibrand, Amy Klobuchar, Claire McCaskill, Debbie Stabenow, Charles E. Schumer, Sherrod Brown, Mark R. Warner, Richard Blumenthal, Tom Udall, Tammy Baldwin, Jack Reed, Robert P. Casey, Jr., Angus King, Jr., Brian E. Schatz.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorums for the cloture motions be waived.

The PRESIDING OFFICER. 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 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.

MORNING BUSINESS

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

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

The Senator from Arkansas is recognized.

TRIBUTE TO MARION FLETCHER

Mr. COTTON. Mr. President, I would like to recognize Marion Fletcher of Hot Springs, AR, as this week's Arkansan of the Week, for 53 years of service to agriculture education in Arkansas. Marion recently retired, and I would like to take a few moments to recognize his legacy and his impact.

Arkansas is a rural State, and for Arkansans agriculture isn't just an industry. It is a way of life. Over the last five decades, Marion has been a fixture in the Arkansas agriculture community, serving in dozens of roles in countless organizations, impacting every person he met.

To say he is passionate about agriculture education is an understatement. Since 1997, Marion worked as the State supervisor and program manager of agricultural education at the Arkansas Department of Workforce Education, and before that he spent 30 years in numerous roles with the Arkansas Department of Education, Vocational and Technical Education Division. He also had a 3-year stint as an ag

instructor at Desha Central Schools. Locally, he has been a dedicated board member of the Garland County Farm Bureau for over 30 years.

But Marion's service isn't just limited to Arkansas. He has also played an important role in the National FFA, where he has been a member of the board of directors, served as national treasurer, and has been a part of various task and action force committees. To quote longtime friend Keith Stokes, ''there is not a young person who went through the FFA program that was not influenced in a positive way by Mr. Fletcher.''

His hard work hasn't gone unnoticed, and he was honored with the first-ever National FFA Advisor's Golden Owl Award. He has also received the FFA VIP Award, recognition in the Arkansas Agriculture Hall of Fame, Arkansas's ''service to citizens'' award, and a litany of others on a long list of well-deserved commendations.

The honors, distinctions, and accolades earned by Marion are endless. Like those before me, I am proud to honor Marion's work and legacy. He is an outstanding Arkansan, and our State agriculture industry is better because he committed his life to agriculture education.

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

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

USA FREEDOM ACT

Mr. WYDEN. Mr. President, in the aftermath of the horrific tragedy in Orlando, Americans are understandably concerned about whether law enforcement and intelligence officials have the tools they need to keep our people safe. I share these concerns and have for quite some time.

In 2013, I proposed that the government be authorized to obtain phone, email, and other records immediately in emergency situations and then after the fact come back for court review. That proposal I made in 2013 became law as part of the USA FREEDOM Act—it is section 102 of the USA FREEDOM Act—and as of today, that legislation I authored gives the FBI more authority to move immediately when they believe it is essential to protect the safety and well-being of Americans and our families.

I don't take a backseat to anybody when it comes to supporting efforts that are going to do everything possible to make Americans safer in their communities. So right now—and this is so often the case after a tragedy—when Americans want to be safer and they want their liberties, all too often proposals are advanced that in so many instances don't do much of either.

It is for that reason that I have come to the floor to express my concern about the sweeping surveillance amendment that was proposed this morning by the senior Senator from Texas. In my view, it is important for colleagues to see that this proposal would dramatically and unnecessarily expand the government's ability to conduct surveillance of Americans without court oversight.

In my judgment, it would not make our country any safer. The real implications are that it could significantly undermine the constitutional rights of law-abiding Americans, largely to save some paperwork for law enforcement officials.

As was described on the Senate floor this morning, this amendment would authorize individual FBI field offices to demand Americans' email and Internet records simply by issuing what is called a national security letter, which means there really is no court oversight whatsoever.

This authority currently exists for phone records, and law enforcement officials have repeatedly suggested that it would be convenient for email and Internet records to be collected in the same way. The FBI has not suggested that they are currently unable to obtain these records in counterterror investigations. Law enforcement officials have simply been arguing that it would be more convenient to operate without judicial oversight. I find this position very troubling because I don't see anything in the writings of the Founding Fathers that says convenience alone should justify a dramatic erosion of the constitutional rights of law-abiding Americans.

It is important to understand that this sweeping expansion of surveillance authorities is not necessary. If FBI officials have reason to suspect an individual is connected to terrorism or espionage, they already have the ability to access that person's email and Internet records by simply obtaining an order in the Foreign Intelligence Surveillance Court. These orders can be issued in secret and require relatively little evidence. The FBI just needs to assert that the records are ''relevant to an investigation,'' and that is not difficult to do. But requiring the approval of an independent judge provides an important chapter against the abuse or misuse of this authority. By contrast, national security letters are not reviewed by a judge unless a company that receives one attempts to challenge it.

As I indicated earlier this afternoon, I appreciate the FBI's interest in obtaining records about potential suspects quickly, but my view is that Foreign Intelligence Surveillance Court judges in the typical situation are very capable of reviewing and approving requests for court orders in a timely fashion, and that is why I made mention of it.

If the government thinks that there is an emergency situation and that time is so critical, the government can use that section of the USA FREEDOM Act that I authored, Section 102, to obtain records immediately in an emergency situation and then go seek court review after the fact.

As I indicated, I have been supportive of this for quite some time, but I think giving the government the authority to move in emergency situations is very different from giving the government substantial new surveillance authority just because some officials don't like doing paperwork. If the FBI's own process for reviewing orders is too slow, then the appropriate solution is administrative reforms, not a major expansion of government surveillance authorities.

While this amendment would not apply to the text of emails, it would allow the FBI a wide variety of information, including records of whom individuals exchange emails with and when, as well as individuals' log-in history, IP addresses, and Internet browsing history. This sort of surveillance can clearly reveal an extensive amount of information about individual Americans. Our Founding Fathers rightly argued that these kinds of intrusive searchs ought to be approved by independent judges.

At this point, I believe it is worth noting that President George W. Bush's administration reached the same conclusion that I have described this afternoon. In November of 2008, the Justice Department's Office of Legal Counsel advised the FBI that national security letters could only be used to obtain certain types of records, and this list did not include electronic communication records. The FBI has, unfortunately, not adhered to this guidance and has at times continued to issue national security letters for electronic communications records. A number of companies that have received these overly broad national security letters have rightfully challenged them, as I have indicated, as improper. Broadening the national security letter statute to include electronic communication transaction records would be a significant expansion of warrantless surveillance authority.

Unfortunately, the government's track record with its existing national security letter authorities includes a substantial amount of abuse and misuse. These problems were extensively documented by the Justice Department's inspector general in 2007, 2008, 2010, and 2014. In my judgment, it would be reckless to expand this particular surveillance authority when the government has so frequently failed to use its existing authorities responsibly.

In 2013, President Obama's surveillance review group looked at the national security letter statute. This group included a number of distinguished national security leaders, including former White House counterterrorism adviser Richard Clarke and former Acting CIA Director Mike Morell. They determined—and I think

what is so noteworthy is that at a time when the President assembled practically an NBA All-Star team of counterterror leaders, this group determined that national security letter authority ought to be narrowed, not expanded. They were making a judgment to counter to the senior Senator from Texas, and they felt they ought to go the other way and be more cautious about how it is used.

These leading national security officials, the names of whom I have just given, stated in their report that national security letters have been, in their view, highly controversial and noted that there have been ''serious compliance issues on the part of the government.'' They concluded the following: ''For all the well-established reasons for requiring neutral and detached judges to decide when government investigators may invade an individual's privacy''—their words and not mine—''there is a strong argument that [national security letters] should not be issued by the FBI.''

National security letters was what the description of the issue was all about. In the judgment of these experts, the government should seek the approval of a judge the way our Founding Fathers intended.

I want it understood that I would strongly oppose the surveillance amendment filed this morning. My view is that it would erode our core constitutional rights without making our country safer.

All over the country right now, Americans are asking what can be done to make our country safer. This morning, for example, we had the CIA Director, Mr. Brennan, in the Intelligence Committee, and I pointed out that one of the things that help Americans be as safe as possible is strong encryption for their smartphones. Those smartphones have people's different transactions, such as medical and financial information. Their whole life is in those smartphones. If you weaken strong encryption and require companies—as several of our colleagues want to do—to build back doors into these digital products, Americans are going to be less safe.

For example, a number of the smartphones have a location tracker so parents can keep tabs on their youngster. Well, if you weaken encryption and weaken the location tracker, you are pretty much giving a gift to pedophiles because it will be easy to track youngsters as a result of weakening encryption.

We had a discussion about it this morning. The comment I was concerned about in particular this morning was when I said ''Hey, if we weaken encryption in the United States, the reality is that terrorists, hackers, and others will go overseas, where there are hundreds of products with strong encryption,'' it was the view of the CIA Director that that was ''theoretical.'' So I was forced to correct that later in the course of the day to say that some of the leading experts in cyber security said that this is not theoretical.

The reality is that there are hundreds of products overseas with strong encryption. So think about that one. What we would be doing if we weakened encryption is we would be adopting a policy that would leave our people less secure and their liberties more at risk right at the time when they are saying, after the horrific tragedy in Orlando, that they want better policies to promote their safety and make sure their liberties are kept.

This is a debate we are going to have in several forms. We will have them in committee rooms and on the floor of the Senate. I just want it understood that the reason I am opposing what the senior Senator from Texas talked about today is that I think it flies right in the face of what I have described. It does nothing to make us safer, and it puts our liberties at risk, much as the distinguished panel that was put together by the President—all these outstanding counterterror officials—said when they expressed concern about the whole future of national security letters.

There is a way to do this right, and I would submit that is what we did in Section 102 of the USA FREEDOM Act. It was something I had talked about with the President on several occasions. I am willing to say what I said but not what the President said.

I have repeatedly said to the government that if the government doesn't have enough authority in emergency situations to protect the American people, I will use my ability as a senior member of the Intelligence Committee to make sure they have that authority. We did that in the USA FREEDOM Act. The government can move immediately to collect phone and email records and then come back later to go through the court review process. That is the kind of model we ought to use, not what we heard about this morning from the senior Senator from Texas that would expand government surveillance authority, put our liberties at risk, and not make our country safer.

I am sure this will be a topic of extensive discussion on the Senate floor next week. I just wanted to take this opportunity to outline my views on the topic.

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. 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.

GUN VIOLENCE

Mr. COONS. Mr. President, I am coming to the floor today to join so many of my colleagues who have spoken over the last day to encourage bipartisan cooperation on commonsense legislation to address the gun violence epidemic that plagues our Nation and my home State of Delaware. I want to thank my colleagues, Senators MURPHY and BLUMENTHAL, for their consistent and unwavering commitment in addressing this very real national crisis.

In the aftermath of the tragic mass shooting of Orlando, I have been filled with many emotions, as have so many of my colleagues—grief for the victims and their families, concern for the city of Orlando, grief for the greater LGBTQ community across our Nation and world, anger toward the perpetrator and the extremists who spread hatred, violence, and fear around the world, and a powerful, deep-seated frustration that our government, our Congress, this Senate, has not taken needed steps to keep dangerous and unstable individuals from getting access to guns. The atrocity that took place at the Pulse nightclub in Orlando, FL, was more than just a cowardly act of terrorism and a despicable, violent rampage of hate against our LGBTQ brothers and sisters; it was also an attack on the very freedoms in our way of life. From the brave first responders and law enforcement officers who rushed to the scene, to the hundreds, even thousands, of Floridians who lined up in the days since to donate blood, tragedies like these so often showcase the very best and worst of humanity in the same heartbreaking moment.

This mass shooting—the worst mass shooting in American history—should force us to confront a number of powerful but unanswered questions: Are we going to be a nation that celebrates our diversity or one that stokes fear, division, and hatred? Are we going to engage the American Muslim community in pursuing our shared goal of defeating the scourge of terrorism, or are we going to malign and alienate 1.6 billion people from one of the world's great religions? Are we together going to pass commonsense safety measures addressing gun violence, or is this Senate, yet again, going to accept the status quo?

Our Nation, my State, my constituents, my neighbors, are crying out for the Members of this body to have the courage of our convictions and to address this moment. Regardless of the Orlando attacker's intentions or his background, Congress must act to prevent known or suspected terrorists from having the unfettered ability to purchase high-powered military grade weaponry. That means ensuring that we have a universal system of background checks when a firearm is purchased. It also means ensuring that the U.S. Department of Justice gets notified when a known or suspected terrorist goes to buy a gun so that the Department can investigate or stop a transaction that might immediately endanger citizens' lives.

Today an estimated 40 percent of all gun sales are sold by unlicensed dealers who are not required to conduct any

criminal background checks under Federal law. In the aftermath of the atrocity in Orlando, Deputy Attorney General Yates noted that the Justice Department ''would have liked to have known'' that Omar Mateen had gone to purchase an assault rifle.

Our Constitution protects the fundamental individual right to bear arms, but no freedom is absolute, and no one amendment can subvert all the others. Orlando deserved to have the security of a functioning universal background check system that keeps guns out of the hands of people known to be dangerous. So, too, do the people of my hometown of Wilmington.

Earlier this week, late Tuesday night, in my hometown of Wilmington, less than a block away from a business owned by one of my treasured staff members, four young teenagers, ages 12, 13, 15, and 16, were shot. The 15-year-old boy remains in critical condition in Christiana Hospital. He was shot in the stomach, hand, and leg.

Earlier this week in Wilmington, a 15-year-old girl was shot during an argument at a party. There have been so many instances of gun violence on the streets of my hometown in the weeks and months of this year, last year, and the year before that we have become numb to it. We have almost lost count of them. Yet this daily carnage continues in my hometown and in towns all across this country.

Orlando deserves the amount of attention it has received as one of the worst mass American atrocities occurring in history. Yet we cannot forget the week-in and week-out tragedies where one, two, and three individuals are shot in what now seems to be, sadly, routine gun violence all across this country.

We have heard in speeches given by my colleagues about incidents all over our country. From Orlando to San Bernardino to Newtown, from Wilmington to Chicago to Los Angeles, Americans fall victim to gun violence each and every day. It doesn't have to be this way.

Americans are 25 times more likely to be murdered with a gun than people in any other developed country. We can and we must do more to prevent senseless acts of gun violence.

So today, this week, we mourn the lives taken from us too soon in Orlando, and I mourn and many of my neighbors and constituents mourn the lives lost in Wilmington. But we all pray that the families and friends grieving the loss of their loved ones will find strength and purpose in the days to come and will bring encouragement from actions by this Senate.

Tragedies like these don't just draw our attention, don't just hold our gaze, and don't just break our hearts; they also challenge our values as a nation. In response to the atrocities in Orlando, America's message to the world must not be one of fear and anger and isolation as some propose. Instead, I think we can and should take action to protect all of our citizens of any ethnicity, any faith, and any sexual orientation with commonsense gun legislation. I am encouraged to know there have been filed bills that this body will take up and act upon next week and that my colleagues, Senators MURPHY and FEINSTEIN, have been able to submit for consideration by this body—bills relating to background checks and to closing the terror gap that I look forward to supporting next week when we return.

I would like to thank all of my colleagues of both parties who have advanced proposals or have come to the floor to participate in an important effort to show the people across the country that we can work across the aisle, that we can listen to each other, and that we can, I hope, legislate.

I specifically thank my colleague Senator MURPHY for his discipline, his engagement, and his work in an important filibuster to show the people of our country that we are listening, we are paying attention, we are working, and we will soon take action.

With that, I thank the Presiding Officer.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SASSE. 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 MARY D. FERGUSON

Mr. MCCONNELL. Mr. President, I wish to share with my colleagues the very sad news that Mary D. Ferguson, a legendary Kentucky journalist and a good friend of mine, has passed away. She departed this life last Thursday, June 9, in the town of Hopkinsville, KY, at the age of 82. She will be remembered and greatly missed by her family, many friends, and journalists throughout the Commonwealth.

Mary was a pioneer as a female journalist in an era when women were not expected to enter that profession, but she did not let that deter her from doing what she had dreamed of since childhood. She got her first job in journalism when she was a freshman in college, working as the society editor at the Clarksville Leaf-Chronicle.

She also served as the news director for a Hopkinsville radio station, WHOP, before being hired as a reporter by the Kentucky New Era in 1962. There she remained for more than 50 years—as a reporter, columnist, and eventually as an unofficial historian for the region and fount of institutional knowledge for the newspaper. By the time she passed away, of course, she had been working there since before most of her coworkers were born.

Mary touched the lives of thousands in Kentucky and beyond with her work for the New Era. Her stories gave voice to the people of her community, and she brought events of the world home for her readers. In covering events at Fort Campbell, KY, she wrote about Presidents spanning from Lyndon Johnson to George W. Bush. She covered gubernatorial inaugurations, crime, the courts, elections, and the arts.

I got to know Mary back when I was first elected to statewide office. She interviewed me and was a part of editorial board meetings, which I frequently held with the New Era. Mary was a rarity in the fact that she was one of the few journalists who leaned Republican, although she always kept her reporting balanced. I certainly appreciated her support and encouragement throughout the years and grew to have great admiration and respect for this woman who was not afraid to chart her own path.

Mary was the heart of the New Era newspaper and will be deeply missed by her colleagues and the hundreds of journalists who passed through that publication's offices over the five decades of her tenure. The paper established in 2005 the Mary D. Ferguson Award, given annually to the employee most committed to the quality of the newspaper. That tradition will continue after her death.

Kentucky has lost one of its leading lights in journalism, and I have lost a friend. Elaine and I want to express our deepest condolences to Mary's family. She is survived by her husband, retired Kentucky State Police Trooper Russell Ferguson, her daughter Lee Ellen Ferguson Fish, and two grandchildren. Along with the Hopkinsville community, we stand by the Ferguson family and support them in their time of grief.

The newspaper Mary Ferguson wrote for for 54 years, the New Era, published a remarkable article detailing her life and career. I ask unanimous consent that the article be printed in the RECORD.

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

[From the Kentucky New Era, June 10, 2016]

TRAILBLAZING JOURNALIST, MARY D. FERGUSON, DIES AT 82

(By Jennifer P. Brown)

HOPKINSVILLE, KY.—Mary D. Ferguson, a Kentucky New Era staff writer and columnist who covered stories about farmers, housewives, Army generals, American presidents and much more in a career lasting more than 50 years, died Thursday morning at a Hopkinsville nursing home. She was 82.

A native of Trenton and longtime resident of Pembroke Road, she lived just a few miles from the newspaper. She is survived by her husband, retired Kentucky State Police Trooper Russell Ferguson, and their daughter, Lee Ellen Ferguson Fish.

Ferguson was a trailblazer for women in news reporting.

A 1952 graduate of Trenton High School in Todd County, she moved to Clarksville when she started college at Austin Peay State University. In the spring of her freshman year, she applied for the society editor's job at the Clarksville Leaf-Chronicle newspaper

and was hired on the spot. Years later, she said she was shocked to get the job, but she stayed with the newspaper until a year after she graduated.

She then became the news director for WHOP. Walking from store to store in downtown Hopkinsville, she delivered the radio station's daily Shell-O-Gram, a promotional flyer for Shell Oil that featured news headlines of the day. The radio station, which was on South Virginia Street, had a mobile unit set up in a station wagon, and Ferguson also broadcast live stories from the field.

The New Era hired her on February 5, 1962, to cover crime, courts and Fort Campbell. She was the first female reporter in the newsroom.

Although the paper's owners had recruited her, it took a while for the men in the newsroom to accept Ferguson. Reminiscing last fall about her start at the New Era, she remembered how her news judgment and writing style were frequently criticized early on. Things began to shift in her favor one day when a local judge publicly praised one of her stories.

Ferguson was on a first-name basis with several commanding generals, and their family members, at Fort Campbell. She also covered Presidents Lyndon B. Johnson, Jimmy Carter, Ronald Reagan, George H.W. Bush, Bill Clinton and George W. Bush at Fort Campbell or nearby communities. She filed stories from the inaugurations of two Kentucky governors, Edward T. ''Ned'' Breathitt and Louie B. Nunn.

She loved the arts and was granted a backstage interview with the opera singer Marian Anderson at Fish University in Nashville. Ferguson was so overcome with appreciation that she broke down and cried as she approached the celebrity.

As a general assignment reporter, Ferguson wrote a wide range of stories, including murder investigations, businesses opening and closing, fatal crashes, hospital expansions, lawsuits, tobacco auctions, elections, floods, fires, high school graduations, concerts and the deaths of many friends.

Ferguson was among the New Era reporting team that covered the aftermath of the Gander, Newfoundland, crash in December 1985 that killed 248 soldiers headed back to Fort Campbell after a six-month deployment to the Sinai Peninsula in Egypt. She was at Fort Campbell the day President Ronald Reagan and first lady Nancy Reagan came to the post to console the families.

She rejected the idea of ever retiring, although she did eventually scale back her hours and devoted her time mainly to writing daily obituaries and a popular human-interest column that ran on Saturdays. Even when cancer treatments made it difficult for her to type, she continued to dictate a weekly column to another staff member.

She was rare among journalists with a career spanning more than 60 years at two newspapers and the radio station.

No one working in the New Era's newsroom today had been born when Ferguson started working for the paper at its old offices in downtown Hopkinsville. She experienced numerous changes in the newspaper industry. She gave up her typewriter for computers but never really accepted the internet as a useful tool.

New Era Publisher Taylor Hayes said he thought of Ferguson as the newspaper's ''matriarch.'' Employees counted on her frank opinion and advice.

''This classy lady provided such a footing to our company, particularly in the newsroom, and her absence cannot be easily grasped,'' Hayes said. ''She was a rock.''

Ferguson drove a red Cadillac, voted Republican, loved big friendly dogs, fed bread to fat squirrels in her yard, laughed often, cooked like a pro and remembered names and old tales that others forgot. She missed restaurants like Charlie's Steakhouse and Bartholomew's when they closed. She was partial to the Whistle Stop's chocolate glazed doughnuts. Sushi and egg rolls were not her thing.

She wore tailored dresses, cardigan sweaters, high heels and pearls to work. When the newsroom eventually went smoke-free, she took her cigarette breaks wearing a mink coat on the newspaper's loading dock, where she was likely to collect a few story ideas from the pressmen or a truck driver.

While the newsroom became younger and increasingly reliant on the internet, she packed her desk drawers with old city directories, history books and paper files. She could put her hands on a photograph of an old general before a young editor could even begin the search on Google.

No one covering news in Hopkinsville today—not at the newspaper and not at any of the radio stations—could match her institutional knowledge of people and events that shaped southern Pennyrile communities over the past 80 years.

''There are a rare class of people who, when they come into your life, however it may be, you just feel lucky to have known them,'' Editor Eli Pace said. ''Mary D. was tough as nails, classy beyond description and just wonderful—and I was lucky.''

She was opinionated too. Once, when a new editor announced that the New Era would begin re-running obituaries every time the newspaper or a funeral home made a mistake because readers liked to clip them out for family records, Ferguson snapped, ''What are we, a newspaper or a scrapbook company?''

Ferguson, who sometimes prayed for friends and co-workers from her front porch swing in the evening, believed that her best writing at the New Era came in a Christmas Eve column she wrote about her father's dairy barn.

The column included this: ''My memories were born in a stable located on a hill just north of Trenton near the Todd-Christian county line. The wide front door opened to the southwestern sky, and at night there was a star spectacle that outshone the blinking of multi-colored Christmas lights wrapped around a tree and bushes . . . The warmth, the smells, the sound of a soft wind and stars in the sky—no greater peace could be enjoyed.''

Ferguson's last column was about the arrival of the first hummingbird to her house at 2:30 p.m. April 16. Ever the reporter, she had recorded the exact time and day.

TRIBUTE TO DAVID MEDINE

Mr. LEAHY. Mr. President, for the past 3 years, David Medine has served as chairman of the Privacy and Civil Liberties Oversight Board, PCLOB—the first chairman finally to be confirmed after Congress reestablished the PCLOB as an independent agency and strengthened its authority. Under his leadership, the PCLOB has worked diligently to review surveillance programs and make recommendations to protect individual privacy and civil liberties. Mr. Medine recently announced that he will be leaving government service to join a nonprofit organization that serves low-income and disadvantaged individuals. He will be missed.

Mr. Medine was confirmed at a critical time, just a month before the first Snowden revelations in June 2013. In response to reports that the NSA had been collecting Americans' phone records in bulk for years under section 215 of the USA PATRIOT Act, he guided the PCLOB's work in reviewing that program and releasing a comprehensive report in January 2014. The recommendations in that landmark report included ending the bulk collection of Americans' phone records, installing an amicus at the FISA Court, and instituting a number of other privacy protections. Many of these recommendations were subsequently enacted into law in the bipartisan USA FREEDOM Act of 2015.

Under Mr. Medine's leadership, the PCLOB also released a detailed unclassified report in July 2014 on surveillance conducted pursuant to section 702 of the Foreign Intelligence Surveillance Act, which is slated to expire at the end of next year. This report includes a valuable unclassified explanation of the implementation of section 702. These reports and Mr. Medine's related testimony before the Senate Judiciary Committee have been tremendously beneficial to Congress and the American people in examining government surveillance programs.

Mr. Medine's public service spans more than 20 years. Over the course of his career, he has earned a reputation as a thoughtful and well-respected authority on privacy and data security issues. I commend Mr. Medine for his dedicated public service and efforts to protect the privacy and civil liberties of the American people, and I wish him well in this new chapter.

(At the request of Mr. BURR, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

● Mr. RUBIO. Mr. President, I am a proud cosponsor of the Compressive Addiction and Recovery Act, or CARA, a bill that would help Americans in the fight against the opioid and heroin epidemic sweeping across our Nation. Due to the Orlando tragedy that took place on Sunday, I was unable to be present today to vote in favor of going to conference on CARA to finalize the legislation and further assist Americans in their battle against addiction. If I were present during the vote, I would have voted in favor of going to conference on CARA.●

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. DAINES. Mr. President, I wish to enter into a colloquy with my colleague from Arizona.

The National Defense Authorization Act which the Senate passed this week is the most critical piece of legislation for our national security that we debate each year, and I thank my colleague from Arizona, the chairman of the Armed Services Committee, for his hard work on this legislation.

One important provision that should be in the final NDAA is the elevation of

Cyber Command. Cyber warfare is taking place every day. It is a domain of war that our Nation must dominate just as we do on land, at sea, and in the air. At the rate electronic warfare is growing, I believe elevating Cyber Command to a combatant command is vital to ensuring that the United States is fully prepared for cyber warfare and has unparalleled capabilities in that domain.

Does my colleague from Arizona feel the same?

Mr. MCCAIN. Mr. President, I strongly agree with my friend from Montana.

Elevating Cyber Command is one of the most critical pieces to ensuring our Nation is at the forefront of the rising threats abroad. Earlier this year in the Armed Services Committee, I held a hearing on Cyber Command. I was told by the commander of Cyber Command, ADM Mike Rodgers, that this elevation would make them faster, generating better mission outcomes. These are the individuals we have leading the fight against ISIS on the newly established online battlefield—better mission outcomes is something we need.

At a time when we are also debating what the entire combatant command structure should look like, one thing is clear: Cyber is growing, and its command structure needs to grow as well. I look forward to ensuring this debate is settled in conference and Cyber Command is elevated to a combatant command.

Does my colleague from Montana agree?

Mr. DAINES. Mr. President, I do share my colleague from Arizona's commitment to elevate Cyber Command to a combatant command in conference. The House NDAA includes a provision to elevate Cyber Command, and I stand with eight bipartisan Members of the Senate, including my colleague from Arizona, who support this effort. It is paramount that the final fiscal year 2017 NDAA that goes to the President's desk includes this provision.

Can my colleague from Arizona further describe the value that elevating Cyber Command would bring?

Mr. MCCAIN. Mr. President, for years, our enemies have been setting the norms of behavior in cyber space while the White House sat idly by hoping the problem will fix itself. With the elevation of Cyber Command, we are able to ensure we set ourselves on the right course for this new form of warfare. And we will do it without creating a hollow force. Just as it would be unacceptable to send a soldier to battle without a rifle, it is unacceptable to deprive our cyber forces the basic tools they need to execute their missions. We must remain committed to ensuring Cyber Command has the authority, the funding, and the tools it needs to succeed.

I look forward to the continued work on this issue with my colleague from Montana and to working in conference to ensure this elevation. I understand my colleague from Montana has ensured the Defense appropriations legislation complements our efforts in cyber command.

Can you elaborate on your efforts?

Mr. DAINES. My colleague from Arizona is correct. My provisions in the Defense appropriations legislation states that the Department of Defense has the funding needed to elevate Cyber Command to a combatant command this year. We cannot wait for our enemies to outmaneuver us on this new battlefield. Elevating Cyber Command to a combatant command is one of the best ways we can ensure our troops have the authority they need to succeed.

I want to thank my colleague from Arizona for his commitment to a continued effort on the elevation of Cyber Command and thank him for his continued hard work on behalf of the men and women of our Armed Forces.

(At the request of Mr. DURBIN, the following statement was ordered to be printed in the RECORD.)

GUN VIOLENCE

● Mrs. BOXER. Mr. President, I ask consent to have printed in the RECORD an article from June 15, 2016, in the Huffington Post, regarding the Orlando shooting and the urgent need for the Senate to take action on gun control.

The material follows:

[The Huffington Post, June 15, 2016]

ON GUN VIOLENCE—LET'S COME TOGETHER AND STOP THE HEARTBREAK

(By Senator Barbara Boxer, Ranking Member, Senate Environment and Public Works Committee)

Columbine. Virginia Tech. Fort Hood. Tucson. Aurora. Newtown. Navy Yard. Isla Vista. Charleston. Umpqua. Colorado Springs. San Bernardino.

And now Orlando is etched into the list of places in America that have been forever scarred by gun violence.

In the aftermath of each of these deadly mass shootings, we express our horror, our prayers for the victims and survivors, our condolences, our thanks to the courageous first responders—and of course, we must and we should. But words are not enough.

After the horrific tragedy at Sandy Hook Elementary School four years ago, I was convinced that Congress would finally take action to address that epidemic of gun violence that kills more than 30,000 Americans every year. But only four Republicans were willing to join with 51 Democrats and independents, and so commonsense gun safety legislation was once more derailed.

That's why I am so proud that Senator Chris Murphy—joined by his Connecticut colleague, Senator Richard Blumenthal—took to the Senate floor with a simple message: Enough is enough. The Senate must address this issue with a vote.

We may not be able to prevent every tragedy, but there is so much we can do to save lives and protect our communities. And we can do it while still protecting the Second Amendment. We should start by taking these six commonsense steps right now:

We can pass legislation to prevent a suspected terrorist from buying firearms or explosives.

We can pass legislation to keep military-style weapons off our streets. These are weapons of war, and they do not belong in our communities.

We can expand background checks—an idea supported by almost 90 percent of the American people and a majority of NRA members—which will help keep guns out of the hands of criminals and the mentally ill.

We can pass the Gun Violence Intervention Act, which would allow families to go to court to seek a ''gun violence prevention order'' to temporarily stop someone who poses a threat to themselves or others from purchasing or possessing a gun.

We can increase funding for the Urban Area Security Initiative (UASI), an important grant program that helps communities plan how best to prevent and respond to acts of terrorism.

We can protect our children by investing in the Comprehensive School Safety Initiative, which helps schools develop school safety plans and provide critical safety training to school personnel.

We need a layered defense to protect our communities from criminals and terrorists who want to inflict mass casualties, and that is what these proposals would provide.

We know that tough gun safety laws work. We have seen it in other countries, like Australia. And we have seen it in my state of California which—after passing sensible laws—saw a 56 percent drop in gun violence between 1993 and 2010, according to the Law Center to Prevent Gun Violence.

People deserve to feel safe in their communities. They deserve to feel safe at work, at school, at a shopping mall, at a movie theater, at a health clinic, at a night club.

As elected officials, we take an oath to protect and defend the American people. Right now, we are failing at our most basic task—keeping our children and our families safe from harm.

It isn't enough for us to keep lamenting these tragedies. The people of Orlando, San Bernardino, Isla Vista, Newtown and so many other communities want more than words. They want action. And they want it now.●

ADDITIONAL STATEMENTS

TRIBUTE TO DR. BENNY GOODEN

● Mr. BOOZMAN. Mr. President, today I wish to honor Fort Smith School District superintendent Dr. Benny Gooden, who will retire at the end of June after a lifetime of dedication to education.

Dr. Gooden has led the Fort Smith School District since 1986, and in those 30 years, he has proven himself to be a driving force in education at the local, State, and national level.

He made a career out of helping students and creating a solid education, to pave the way for a successful future for them. During his 50 years in education, he always put students first and fought to ensure the community created opportunities in their best interest.

Dr. Gooden has remarked to the School Superintendents Association that his best professional day was when Fort Smith voters approved a 20 percent tax increase to guarantee the district's financial stability.

He has been recognized for his career as a school administrator earning the American Association of School Administrators' Arkansas Superintendent

of the Year award and was ranked in the top 100 Outstanding School Administrators in North America by Executive Educator magazine. He was named Administrator of the Year by the Arkansas PTA in 1995, received the Phoebe Apperson Hearst Outstanding Educator award from the National PTA in 1999, and a year later was the recipient of the Dr. Dan Pilkington Award by the Arkansas School Boards Association. These accolades are all well deserved.

Dr. Gooden is actively engaged in the legislative process at the State and national levels on behalf of education. He has served as a member of the Executive Committee of the American Association of School Administrators and served as the organization's president from 2012–2103. Dr. Gooden has served his community, State, and Nation in a remarkable way in pursuit of better education opportunities for Arkansas students.

He has been a resource for me over the years to keep up with the needs and challenges of our education system. Whether pursuing opportunities for students of diverse backgrounds, cheering the accomplishments of adult education graduates, or paving the way for advanced technology in the classroom, Dr. Gooden's dedication to the young people of Fort Smith has made a positive impact on the community. Because of this, Fort Smith will continue to benefit from Dr. Gooden's work long after his retirement.

I congratulate Dr. Gooden for his outstanding achievements in his career and thank him for his dedication to education, students and the community. I appreciate his friendship and enjoyed supporting his efforts to improve education. I wish him all the best in retirement and know that his wife Martha and the rest of his family will enjoy the opportunity to spend more time with him.●

TRIBUTE TO JIM ROWLAND

● Mr. BOOZMAN. Mr. President, today I wish to honor Fort Smith School District athletics director Jim Rowland who will retire in June after serving the school district for over half a century. Rowland's dedication to education and athletics in Fort Smith is nearly unprecedented.

Jim Rowland has been involved in Fort Smith's school district since 1963. He began work at Darby Junior High School as the head coach for track and football. In 1966, Rowland became an assistant coach to the football team at Northside High School and, in 1970, was named head coach at crosstown rival, Southside High School.

After a successful coaching career, Coach Rowland moved to the administrative sector becoming assistant principal in 1982 at Southside High School. Nine years later, Coach Rowland assumed the role of athletics director for Fort Smith Public School District.

Under his watch, both Northside and Southside High School won a combined six State championships in football—more than any other school district in the 7A classification.

During Rowland's time as athletics director, he oversaw an extensive growth in athletics. Under his leadership, both Northside and Southside High school won State championships in track, volleyball, bowling, and golf.

His passion helped improve athletics in Fort Smith to a level not seen before. In 2009, Fort Smith School Board, in a unanimous vote, renamed Southside High School's stadium, Jim Rowland Stadium as thank you for his services.

I congratulate Coach Rowland for his outstanding achievements in athletics and education. I thank him for his service to the Fort Smith School District and the countless students he impacted, including me. I was on the Darby Rangers football team in eighth grade when he started his coaching career in Fort Smith, and I was a member of the Northside Grizzlies when he became an assistant coach at the high school. Coach Rowland was a role model and one of the most positive influences in my life, as well as so many others.

His efforts to foster growth in the district and enhance athletics in Fort Smith have become reality. I greatly appreciate his commitment to the schools and athletic programs, his guidance and friendship, and I wish him continued success in all of his endeavors. Fort Smith is fortunate to have had someone with his passion and dedication to the schools.●

TRIBUTE TO FRANCES DOLEZAL

● Mr. DAINES. Mr. President, on January 9, 1915, the Dolezal family scurried around a humble homestead in Hingham, MT. The house had no heat, no plumbing, and no modern conveniences to combat the bitter Montana cold. Jerry and Grace Dolezal had just welcomed a brand-new baby girl—Frances. Her brother Bob Dolezal says, ''My father used to say, she was so small, she could have worn a ring as a bracelet.'' Frances was a premature breach birth, and the family took turns huddling around her crib, a small dresser drawer, refilling a hot water bottle each hour to keep the newborn warm. Frances would survive that night and many more. She celebrated her 101st birthday this last January.

I would like to take this time to recognize and honor her service to-our-country and her contribution to the children of Montana. We are the land of the free because of the brave, and as we continue to face foreign and domestic threats I am humbled by the service men and women who have protected and served. In 1942 the United States faced a shortage of military personnel due to World War II. In an effort to fill the void, the Women Accepted for Emergency Volunteer Service program, or WAVES, was created and allowed women to enlist in the U.S. Navy.

After her brother George Dolezal survived the attack on Pearl Harbor, Frances was anxious to do her part and graciously enlisted in July of 1943. She was stationed on Terminal Island in San Pedro, CA, for the next 2 years, serving as a second class aviation machinist mate, preparing airplanes before they were shipped overseas.

When the war ended, Frances returned to Montana and earned her bachelor's degree in education from the Western Montana College of Education, now University of Montana Western, in Dillon. Frances would go on to be a first grade teacher and serve the communities of Cutbank, Malta, Havre, Zortman, Ledger and Browning for over 25 years.

Frances was a tough teacher but fair. In Browning, where class attendance was low, Frances created an innovative cotton ball calendar tactic to motivate class participation. Her classes held the highest attendance rates and many of her schoolchildren would exit first grade with third grade reading levels. Her brother Bob says: ''Her ability to motivate little ones was what I was always impressed with. She instilled in them to never quit; keep trying until you can succeed.''

On Frances' 100th birthday she was showered with letters, cards, and gifts from her former students. One student, now a successful businessman in Billings, MT, made it a priority to be in attendance for the celebration. The young man thanked Frances and said that, among all of his teachers and college professors, Mrs. Ordway was his favorite.

In an effort to ensure all female World War II veterans receive their World War II service medals, Frances was recently honored by the Montana American Legion in Chinook, MT. Frances was pinned with her World War II Victory Medal in honor of her service from 1943 to 1945.

It is stories like Frances's, the Dolezal family, and numerous others that remind us of the importance of preserving these stories through efforts like the Veterans History Project. Though many people may never know her name, Montanans and Americans owe her our appreciation. Thank you, Frances, for your patriotism and commitment to the education of young Montana minds.●

TRIBUTE TO CHRISTINA ARAGON

● Mr. DAINES. Mr. President, I would like to call your attention to Christina Aragon, a recent graduate of Billings Senior High School. While in high school, Christina competed in track and field, gymnastics, was an active member of the National Honors Society and concert band, and was named the Gatorade Montana Track and Field athlete of the year in 2015. Christina is the youngest daughter of Chuck and Kathy Argon and is running her way into the record books.

Christina, known as Teeny by friends and family, is a remarkable track and

field athlete whose events include the 400m, 800m, 1500m, 1600m, and the 3,200m. Over the course of her high school career, Christina earned nine State champion titles; three of those titles were earned while running with a broken elbow.

On June 5, Christina attended the Payton Jordan Invitational at Stanford and completed the 1500m in 4:11.24. Competing in a packed race with multiple professionally sponsored runners, this 18-year-old surprised everyone in attendance. On June 12, at the Portland Track Festival, Christina defied expectations yet again and set a national record of 4:09.27, becoming the third fastest 1500m high schooler in history, while simultaneously qualifying for the Olympic time trials. This weekend, she will compete in the Brooks PR Invitational in Renton, WA, where she holds the record for the 800m at 2:04.00. Christina will also attend the Olympic time trials in Oregon on July 1, 2016.

Christina represents the youngest of the Aragon track and field legacy. Her father was the first Notre Dame runner to break the 4-minute mile in 1981. Her mother competed in her third Olympic time trial in 2004, and her older sisters, Danielle and Alexa, hold multiple State champion titles and run together as All-Americans at Notre Dame. Christina will attend Stanford University this fall and continue her track and field career.

When asked about the Olympic time trials, Christina commented, ''I'm obviously going to be pretty nervous, but I'm just going to try to channel that nervousness into more excitement because that's just an awesome opportunity and I'm really lucky to be able to have that so I'm just going to go out there and have fun and run fast, hopefully.''

William Shakespeare wrote, ''Though she be but little, she is fierce,'' a quote that I feel resonates all too well with this determined and fearsome young lady. I ask that you join me in wishing Christina the best of luck in the coming weeks. I have no doubt that she will continue to make her family and Montana proud.●

TRIBUTE TO BRENDA KADRMAS

● Mr. DAINES. Mr. President, today I wish to recognize a Havre Police Department dispatcher, Brenda Kadrmas. Originally from Conrad, Brenda is a 10-year veteran to the department. She acted in a swift and steadfast manner during a terrifying situation and put her extensive training to work in order to prevent a suicide.

Brenda has taken full advantage of training opportunities—thankfully, she did; she was able to save a life. Thank you, Brenda, for your commitment to the department and the city of Havre. You have shown tremendous leadership and dedication, and for that, I am proud of you. Keep up the great work, and thank you for your service.●

TRIBUTE TO DAVE WICHMAN

● Mr. DAINES. Mr. President, today I wish to recognize Dave Wichman, superintendent and assistant professor of agronomy at Montana State University. He has dedicated 35 years of his life working in the agricultural research centers for the State of Montana.

Dave has worked with Montana Agricultural Experiment Stations since 1976, serving at both the Southern Ag Research Center in Huntley and Central Ag Research Center in Moccasin, MT. Dave has impacted forage crops, pulse crops, oil seed crops, cereal agronomy, and foundation seed.

Dave, thank you for your passion, your knowledge, and your dedication. Montana thanks you for a job well done and wishes you the best.●

TRIBUTE TO DR. STEPHEN WELLS

● Mr. HELLER. Mr. President, today I wish to recognize Dr. Stephen Wells for his service with the Desert Research Institute, or DRI, after being a significant team member for 16 years. It gives me great pleasure to recognize his years of hard work and commitment to making this institute the best it can be.

Dr. Wells earned his master's degree and doctorate in geology from the University of Cincinnati in Ohio. He later served as a professor of geomorphology and chair of the graduate program in the Department of Earth Sciences at the University of California, Riverside, jumpstarting his academic career. In 1976, he joined the University of New Mexico, serving as chair of the Department of Geology from 1989 to 1991. In both roles, Dr. Wells built internationally recognized research and graduate programs and enrolled 34 students into the programs.

Beginning in 1995, Dr. Wells began his lengthy tenure with the DRI as executive director of the Quaternary Sciences Center. Throughout the next 16 years, he worked diligently to climb the ladder and became president of DRI, one of the world's largest multidisciplinary environmental research organizations, located in our great State. The institute has 500 scientists, technologists, students, and other staff working to further develop nationally recognized research. Dr. Wells led the institute with three core divisions and four interdisciplinary science centers, which serve Nevada and regions across the globe with innovative research. Dr. Wells also helped to build the institute to a $50 million per year operation, compared to the $23.8 million in 1998. Residents across the State are fortunate to have had someone of such dedication working on behalf of the institute.

During his time in Nevada, he emerged as a true leader within our community. Dr. Wells served as a graduate faculty member in the hydrological sciences program and the Department of Geological Sciences at the University of Nevada, Reno. He also served as a board member of the Economic Development Authority of Western Nevada and the Nevada Development Authority. In addition, he spearheaded various initiatives in unmanned aircraft systems technology, as well as helping position Nevada as a frontrunner in advanced technologies. I have worked with him personally on various Nevada priorities and am thankful to have had him as an ally in these initiatives.

Dr. Wells has received three national awards in recognition of his work: the Geological Society of America Kirk Bryan Award, the Gladys Cole Award, and the Geological Society of America Farouk El-Baz Award. These accolades are a tremendous honor, and without a doubt, Dr. Wells' work warrants this recognition.

I ask my colleagues and all Nevadans to join me in thanking Dr. Wells for his dedication to DRI throughout the past 16 years. He exemplifies the highest standards of leadership and service and should be proud of his meaningful career. I wish him well in all of his future endeavors and in his new role with the New Mexico Institute of Mining and Technology.●

TRIBUTE TO AMBER PARSONS

● Mr. MANCHIN. Mr. President, I rise today to honor Amber Parsons, an outstanding and accomplished young woman from Wheeling, WV.

Amber, a recent graduate of Wheeling Park High School, graduated in May with honors and with an outstanding 4.0 GPA. She has received numerous Presidential Award Scholarships because of her outstanding effort and hard work and also attended the Global Youth Leadership Conference last summer with individuals from more than 30 countries.

The Global Youth Leadership Summit is both an academic and professional opportunity for young men and women to not only enhance their academic abilities, but grow personally and professionally as well. The summit immerses students in various cultures and gives them the opportunity to interact with policy officials, lobbyists, journalists, and other industry leaders. It is a wonderful opportunity for young men and women to learn and grow on a professional and personal level.

Amber is the only individual ever from West Virginia to be selected to attend this prestigious conference. While being selected from 3,700 applicants is an accomplishment in itself, she was also selected to return again this year. Less than 10 percent of previous attendees are asked to return, and Amber was included in that small percentage.

Aside from her outstanding academic work, Amber also helped to establish

St. Baldrick's Day in Wheeling, a premiere childhood cancer research fundraiser that is prominent throughout the State and has been for 13 years.

Alongside all of her accomplishments, Amber also enjoys performing in stage productions and has performed in several, including ''Scrooge,'' ''Footloose'' among others.

Amber Parsons is not only an outstanding student, but an accomplished individual as well. Being a member of National Honor Society, graduating from Wheeling Park with honors, and being selected to attend the Global Youth Leadership Summit, I am extremely proud of this young woman for representing my State of West Virginia.●

100TH ANNIVERSARY OF THE LANSING ROTARY CLUB

● Mr. PETERS. Mr. President, today I wish to recognize the Lansing Rotary Club's centennial. For 100 years, the Lansing Rotary has been a cornerstone of fellowship and service for those in the greater Lansing community. Throughout that time, it has remained committed to the core value of all Rotarians, ''Service Above Self,'' by enhancing the quality of life of the City's residents and helping shape business leaders into community leaders.

Founded on May 29, 1916, the Lansing Rotary was the 232nd club in the world and the seventh in Michigan. Its commitment to service was demonstrated almost immediately; within the first 6 months, the club contributed funds to help erect a barrier at a dangerous curve on Okemos Road, generated enthusiastic support for a citywide vote to establish municipal garbage collection for Lansing residents, donated footballs to the poorly equipped Lansing Boys Industrial School, and began the tradition of hosting annual Christmas parties for children in need.

What truly thrust Lansing Rotary into the spotlight was its organizing of the Cabaret Charity Ball in 1917. Created to pay for the paving of the road connecting Lansing and East Lansing, the State Journal called the Ball, ''easily the most talked of social event in the history of the city . . . it will be the marking of the growth of Lansing from a little city to the ways and habits of larger and more progressive cities.'' In a remarkable display for a club still less than a year old, the ball attracted hundreds of attendees and funded the paving of the road known today as Michigan Avenue, the road that leads directly to Michigan's Capitol building.

Like many rotary clubs around the world, Lansing Rotary gained a reputation for its emphasis on providing unique services. Continuing the main trend of its work during that immensely successful first year, Lansing Rotarians became best known for their efforts in assisting disadvantaged children. In the decades that followed, the club purchased a 12-acre campsite and donated it to Boy Scouts; established an educational loan fund to send young people to college; created a dental program for children and youth; donated $10,000 for the establishment of Camp Ingham, a facility for troubled boys between the ages of 14 and 17; and, in 2002, it contributed $100,000 to Lansing's Helping Other People Excel, HOPE, scholarship program for Lansing at-risk youth.

Today Lansing Rotary boasts a membership of nearly 300 and continues to fulfill its mission of ''Service Above Self.'' Since its establishment 100 years ago, it has donated millions of dollars to Lansing-based organizations and continues to give through annual grants to organizations like the Greater Lansing Food Bank, the Mother Teresa House, and Lifetech Academy, Michigan's cyber school. Moreover, it provides similar services internationally, including grants for small projects in the Philippines, India, and Mexico, and larger projects like the construction of a school in Sri Lanka after the tsunami. Through its generous service to Lansing and helping shape business leaders and community leaders alike, Lansing Rotary is truly a pillar of mid-Michigan

I am honored to ask my colleagues to join me today in recognizing the Lansing Rotary Club's 100th anniversary and its service to the greater lansing community. As the organization moves into the future, I am confident it will continue to demonstrate the same high standard it set so profoundly 100 years ago.●

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

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

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

MESSAGE FROM THE HOUSE

ENROLLED BILLS SIGNED

At 2:20 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 2276. An act to amend title 49, United States Code, to provide enhanced safety in pipeline transportation, and for other purposes.

H.R. 812. An act to provide for Indian trust asset management reform, and for other purposes.

H.R. 2137. An act to ensure Federal law enforcement officers remain able to ensure their own safety, and the safety of their families, during a covered furlough.

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

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1475. An act to authorize a Wall of Remembrance as part of the Korean War Veterans Memorial and to allow certain private contributions to fund that Wall of Remembrance; to the Committee on Energy and Natural Resources.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 16, 2016, she had presented to the President of the United States the following enrolled bill:

S. 2276. An act to amend title 49, United States Code, to provide enhanced safety in pipeline transportation, 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–5778. A communication from the Chair of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, a report entitled ''Report to the Congress on the Profitability of Credit Card Operations of Depository Institutions''; to the Committee on Banking, Housing, and Urban Affairs.

EC–5779. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report entitled ''The 2015 Evaluation Report to the U.S. Congress on the Effectiveness of Coastal Wetlands Planning, Protection and Restoration Act Projects''; to the Committee on Environment and Public Works.

EC–5780. 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 ''Advisory Committee; Transmissible Spongiform Encephalopathies Advisory Committee; Termination'' (Docket No. FDA–2016–N–0001) received in the Office of the President of the Senate on June 10, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC–5781. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''2012 and 2014 Regional Partnership Grants to Increase the Well-Being of and to Improve the Permanency Outcomes for Children Affected by Substance Abuse: Third Annual Report to Congress''; to the Committee on Health, Education, Labor, and Pensions.

EC–5782. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Report to Congress on the Food Processing Sector Study''; to the Committee on Health, Education, Labor, and Pensions.

EC–5783. A communication from the Assistant Secretary for Legislation, Department of

Health and Human Services, transmitting, pursuant to law, a report entitled ''Medicaid Incentives for Prevention of Chronic Diseases (MIPCD) Evaluation: Second Report to Congress''; to the Committee on Health, Education, Labor, and Pensions.

EC–5784. A communication from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Revised Medical Criteria for Evaluating Respiratory System Disorders'' (RIN0960–AF58) received in the Office of the President of the Senate on June 10, 2016; to the Committee on Finance.

EC–5785. A communication from the Director of the Peace Corps, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of October 1, 2015 through March 31, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC–5786. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 21–411, ''School Attendance Clarification Amendment Act of 2016''; to the Committee on Homeland Security and Governmental Affairs.

EC–5787. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''FY 2014 Outcome Evaluations of Administrator for Native Americans (ANA) Projects Report to Congress''; to the Committee on Indian Affairs.

EC–5788. A communication from the President of the United States to the President Pro Tempore of the United States Senate, transmitting, consistent with the War Powers Act, a report relative to deployments of United States Armed Forces equipped for combat (OSS–2016–0856); to the Committee on Foreign Relations.

EC–5789. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, a report relative to the current and future military strategy of Iran (OSS–2016–0807); to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment and with a preamble:

S. Res. 104. A resolution to express the sense of the Senate regarding the success of Operation Streamline and the importance of prosecuting first time illegal border crossers (Rept. No. 114–279).

By Mr. BOOZMAN, from the Committee on Appropriations, without amendment:

S. 3067. An original bill making appropriations for financial services and general government for the fiscal year ending September 30, 2017, and for other purposes (Rept. No. 114–280).

By Ms. MURKOWSKI, from the Committee on Appropriations, without amendment:

S. 3068. An original bill making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2017, and for other purposes (Rept. No. 114–281).

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. GRASSLEY for the Committee on the Judiciary.

Donald Karl Schott, of Wisconsin, to be United States Circuit Judge for the Seventh Circuit.

Stephanie A. Finley, of Louisiana, to be United States District Judge for the Western District of Louisiana.

Claude J. Kelly III, of Louisiana, to be United States District Judge for the Eastern District of Louisiana.

Winfield D. Ong, of Indiana, to be United States District Judge for the Southern District of Indiana.

(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 Mr. UDALL (for himself, Mr. MERKLEY, Mr. WHITEHOUSE, Mr. SCHUMER, Ms. BALDWIN, Mr. BENNET, Mr. LEAHY, Mr. KING, Mr. FRANKEN, Ms. HEITKAMP, Ms. KLOBUCHAR, Ms. WARREN, Mr. MARKEY, Mr. SCHATZ, Mr. SANDERS, Mrs. GILLIBRAND, Mr. WYDEN, Mr. HEINRICH, Mr. PETERS, Mr. BROWN, Mr. BLUMENTHAL, Ms. HIRONO, Mr. MURPHY, Mr. CASEY, Mr. CARDIN, and Mr. COONS):

S. 6. A bill to reform our government, reduce the grip of special interest, and return our democracy to the American people through increased transparency and oversight of our elections and government; to the Committee on Rules and Administration.

By Ms. BALDWIN (for herself and Mr. MORAN):

S. 3063. A bill to require the Secretary of Veterans Affairs to discontinue using Social Security account numbers to identify individuals, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MENENDEZ:

S. 3064. A bill to provide for the award of medals or other commendations to handlers of military working dogs and military working dogs, and for other purposes; to the Committee on Armed Services.

By Mr. HATCH (for himself, Mr. WYDEN, Mr. GRASSLEY, and Mr. BENNET):

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; to the Committee on Finance.

By Ms. CANTWELL (for herself, Mr. DURBIN, Mr. HEINRICH, and Mr. WHITEHOUSE):

S. 3066. A bill to protect taxpayers from liability associated with the reclamation of surface coal mining operations, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BOOZMAN:

S. 3067. An original bill making appropriations for financial services and general government for the fiscal year ending September 30, 2017, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Ms. MURKOWSKI:

S. 3068. An original bill making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2017, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. TOOMEY:

S. 3069. A bill to prevent terrorists from obtaining firearms or explosives; to the Committee on the Judiciary.

By Mr. FRANKEN (for himself and Mr. CASEY):

S. 3070. A bill to amend the Public Health Service Act to address the increased burden that maintaining the health and hygiene of infants and toddlers places on families in need, the resultant adverse health effects on children and families, and the limited child care options available for infants and toddlers who lack sufficient diapers; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND (for herself and Mr. SCHUMER):

S. 3071. A bill to designate the facility of the United States Postal Service located at 7802 37th Avenue in Jackson Heights, New York, as the ''Jeanne and Jules Manford Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

By Mr. JOHNSON:

S. 3072. A bill to combat terrorist recruitment in the United States, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. BALDWIN (for herself, Ms. MIKULSKI, Ms. COLLINS, Mrs. GILLIBRAND, Ms. STABENOW, Ms. HIRONO, Mrs. MURRAY, Mrs. FEINSTEIN, Mrs. BOXER, Ms. HEITKAMP, Ms. CANTWELL, Ms. WARREN, and Ms. KLOBUCHAR):

S. 3073. A bill to establish a commission to ensure a suitable observance of the centennial of the passage and ratification of the Nineteenth Amendment to the United States Constitution providing for women's suffrage, and for other purposes; to the Committee on the Judiciary.

By Mr. MARKEY (for himself, Mr. FRANKEN, Mrs. FEINSTEIN, Mrs. SHAHEEN, Mr. MERKLEY, Ms. WARREN, Mrs. BOXER, and Mr. MENENDEZ):

S. 3074. A bill to authorize the National Oceanic and Atmospheric Administration to establish a Climate Change Education Program; to the Committee on Commerce, Science, and Transportation.

By Mr. DURBIN:

S. 3075. A bill to establish programs related to prevention of prescription opioid misuse, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. ENZI (for himself, Mr. CARPER, Mr. INHOFE, Mr. BROWN, Mr. BURR, Mr. ALEXANDER, Mr. TOOMEY, Mr. CRAPO, Mr. COCHRAN, Ms. MURKOWSKI, Mr. BOOZMAN, and Mr. HOEVEN):

S. Res. 495. A resolution recognizing the Boy Scouts of America on the 100th anniversary of the organization being granted a Federal charter and for the long history of heritage and service of the Boy Scouts of America; considered and agreed to.

By Mr. NELSON (for himself, Mr. RUBIO, Mr. MCCONNELL, Mr. REID, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORKER, Mr. CORNYN,

Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. ERNST, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mr. GARDNER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. PAUL, Mr. PERDUE, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROUNDS, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. UDALL, Mr. VITTER, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 496. A resolution condemning the terrorist attack on the Pulse Orlando nightclub, honoring the memory of the victims of the attack, offering condolences to and expressing support for their families and friends and all those affected, and applauding the dedication and bravery of law enforcement, emergency response, and counterterrorism officials in responding to the attack; considered and agreed to.

By Ms. STABENOW (for herself and Mr. PETERS):

S. Res. 497. A resolution honoring the life and legacy of Gordon ''Gordie'' Howe; considered and agreed to.

By Mr. BLUMENTHAL (for himself, Ms. COLLINS, Ms. AYOTTE, Mrs. MCCASKILL, Mr. GRASSLEY, Mr. CASEY, Mr. COTTON, Mr. TILLIS, Mr. MURPHY, and Mr. HELLER):

S. Res. 498. A resolution designating June 15, 2016, as ''World Elder Abuse Awareness Day'' ; considered and agreed to.

By Mr. TOOMEY (for himself and Mr. CASEY):

S. Res. 499. A resolution congratulating the Pittsburgh Penguins for winning the 2016 Stanley Cup hockey championship; considered and agreed to.

By Mr. CORNYN (for himself, Mrs. BOXER, Ms. BALDWIN, Mr. BENNET, Mr. BOOKER, Mr. BROWN, Mr. BURR, Mr. CASEY, Mr. COCHRAN, Mr. CRAPO, Mr. CRUZ, Mr. DURBIN, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Ms. HIRONO, Mr. INHOFE, Mr. KAINE, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. MARKEY, Mr. MERKLEY, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PETERS, Mr. REID, Mr. RUBIO, Mr. SCHUMER, Mr. SCOTT, Ms. STABENOW, Mr. TILLIS, Mr. WARNER, Mr. WHITEHOUSE, Mr. WICKER, Mr. WYDEN, and Ms. WARREN):

S. Res. 500. A resolution designating June 19, 2016, as ''Juneteenth Independence Day'' in recognition of June 19, 1865, the date on which slavery legally came to an end in the United States; considered and agreed to.

By Mrs. ERNST (for herself and Mrs. BOXER):

S. Con. Res. 41. A concurrent resolution expressing the sense of Congress on the Peshmerga of the Kurdistan Region of Iraq; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 804

At the request of Ms. COLLINS, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 804, a bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes.

S. 1555

At the request of Ms. HIRONO, the names of the Senator from New Hampshire (Ms. AYOTTE), the Senator from South Carolina (Mr. GRAHAM), the Senator from Utah (Mr. HATCH), the Senator from Maine (Mr. KING) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 1555, a bill to award a Congressional Gold Medal, collectively, to the Filipino veterans of World War II, in recognition of the dedicated service of the veterans during World War II.

S. 2213

At the request of Mr. BLUMENTHAL, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 2213, a bill to prohibit firearms dealers from selling a firearm prior to the completion of a background check.

S. 2218

At the request of Mr. THUNE, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 2218, a bill to amend the Internal Revenue Code of 1986 to treat certain amounts paid for physical activity, fitness, and exercise as amounts paid for medical care.

S. 2311

At the request of Mr. HELLER, the name of the Senator from New Mexico (Mr. HEINRICH) 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. 2373

At the request of Ms. CANTWELL, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 2373, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 2604

At the request of Mr. WARNER, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 2604, a bill to establish in the legislative branch the National Commission on Security and Technology Challenges.

S. 2736

At the request of Mr. THUNE, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 2736, a bill to improve access to durable medical equipment for Medicare beneficiaries under the Medicare program, and for other purposes.

S. 2873

At the request of Mr. HATCH, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2873, a bill to require studies and reports examining the use of, and opportunities to use, technology-enabled collaborative learning and capacity building models to improve programs of the Department of Health and Human Services, and for other purposes.

S. 2912

At the request of Mr. JOHNSON, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 2912, a bill to authorize the use of unapproved medical products by patients diagnosed with a terminal illness in accordance with State law, and for other purposes.

S. 2924

At the request of Mr. REID, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2924, a bill to award a Congressional Gold Medal to former United States Senator Max Cleland.

S. 3053

At the request of Mr. CASEY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 3053, a bill to prevent a person who has been convicted of a misdemeanor hate crime, or received an enhanced sentence for a misdemeanor because of hate or bias in its commission, from obtaining a firearm.

S. 3059

At the request of Ms. CANTWELL, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 3059, a bill to reauthorize and amend the John H. Prescott Marine Mammal Rescue and Response Grant Program and for other purposes.

S. 3060

At the request of Ms. HEITKAMP, the names of the Senator from Montana (Mr. TESTER) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 3060, a bill to provide an exception from certain group health plan requirements for qualified small employer health reimbursement arrangements.

S. RES. 482

At the request of Mrs. SHAHEEN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. Res. 482, a resolution urging the European Union to designate Hizballah in its entirety as a terrorist organization and to increase pressure on the organization and its members to the fullest extent possible.

AMENDMENT NO. 4691

At the request of Mr. MURPHY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of amendment No. 4691 intended to be proposed to H.R. 2578, a bill making appropriations for the Departments of Commerce and Justice,

Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes.

AMENDMENT NO. 4719

At the request of Ms. BALDWIN, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Minnesota (Mr. FRANKEN) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of amendment No. 4719 intended to be proposed to H.R. 2578, a bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes.

AMENDMENT NO. 4720

At the request of Mrs. FEINSTEIN, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Virginia (Mr. WARNER), the Senator from Oregon (Mr. WYDEN), the Senator from New York (Mrs. GILLIBRAND), the Senator from Vermont (Mr. SANDERS), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Colorado (Mr. BENNET), the Senator from Pennsylvania (Mr. CASEY), the Senator from Rhode Island (Mr. REED) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of amendment No. 4720 proposed to H.R. 2578, a bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes.

STATEMENTS ON BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN:

S. 3075. A bill to establish programs related to prevention of prescription opioid misuse, and for other purposes; to the Committee on Finance.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3075

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Addiction Prevention and Responsible Opioid Practices Act''.

SEC. 2. OPIOID ACTION PLAN.

(a) ADVISORY COMMITTEE.—

(1) NEW DRUG APPLICATION.—Except as provided in paragraph (4), prior to the approval of a new drug that is an opioid under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), the Commissioner of Food and Drugs shall refer such drug to an advisory committee of the Food and Drug Administration to seek recommendations from such Committee.

(2) PEDIATRIC OPIOID LABELING.—The Commissioner of Food and Drugs shall convene the Pediatric Advisory Committee of the Food and Drug Administration to seek recommendations from such Committee regarding a framework for the inclusion of information in the labeling of drugs that are opioids relating to the use of such drugs in pediatric populations before such Commissioner approves any labeling changes for drugs that are opioids intended for use in pediatric populations.

(3) PUBLIC HEALTH EXEMPTION.—If the Commissioner of Food and Drugs finds that referring a new opioid drug or drugs to an advisory committee of the Food and Drug Administration as required under paragraph (1) is not in the interest of protecting and promoting public health, and has submitted a notice containing the rationale for such a finding to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, or if the matter that would be considered by such advisory committee with respect to any such drug or drugs concerns bioequivalence, sameness of active ingredient, or other criteria applicable to applications submitted under section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)), the Commissioner shall not be required to refer such drug or drugs to an advisory committee as required under paragraph (1).

(4) SUNSET.—Unless Congress reauthorizes paragraphs (1) and (2), the requirements of such paragraphs shall cease to be effective on October 1, 2022.

(b) EDUCATION FOR PRESCRIBERS OF OPIOIDS.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, as part of the Food and Drug Administration's evaluation of the Extended-Release/Long-Acting Opioid Analgesics Risk Evaluation and Mitigation Strategy, and in consultation with the Director of the Centers for Disease Control and Prevention, the Director of the National Institutes of Health, the Administrator of the Agency for Healthcare Research and Quality, the Administrator of the Drug Enforcement Administration, and relevant stakeholders, shall develop recommendations regarding education programs for prescribers of opioids required to be disseminated under section 505–1 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355–1), including recommendations for which prescribers should participate in such programs and how often participation in such programs is necessary.

(c) GUIDANCE.—Not later than 1 year after the date of enactment of this Act, the Commissioner of Food and Drugs shall issue guidance on if and how the approved labeling of a drug that is an opioid and is the subject of an application under section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)) may include statements that such drug deters abuse.

SEC. 3. OPIOID INFORMATIONAL DOCUMENTS.

(a) IN GENERAL.—Subchapter A of chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq.) is amended by inserting after section 505–1 the following:

''SEC. 505–2. OPIOID INFORMATIONAL DOCUMENTS.

''(a) DEVELOPMENT OF MATERIALS.—The Commissioner shall develop informational documents describing to consumers of opioid drugs the risk factors for opioid-related harm, and shall submit such documents to the Director of the Centers for Disease Control and Prevention for approval.

''(b) LABELING REQUIREMENT.—The manufacturer of any opioid drug approved under section 505 shall ensure that the appropriate informational documents developed under subsection (a), and approved by the Director of the Centers for Disease Control and Prevention, are included in the labeling of such drug.''.

(b) ENFORCEMENT.—Section 502 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352) is amended by adding at the end the following:

''(dd) If it is an opioid drug and the labeling does not include the informational documents required under section 505–2.''.

SEC. 4. STRENGTHENING CONSIDERATIONS FOR DEA NARCOTIC QUOTAS.

Section 306 of the Controlled Substances Act (21 U.S.C. 826) is amended by adding at the end the following:

''(i)(1) In fixing manufacturing quotas under this section the Attorney General shall take into consideration the impact of the manufacturing quotas on diversion and efforts to reduce the costs, injuries, and deaths associated with the abuse of prescription opioids and heroin in the United States.

''(2)(A) Not later than 1 year after the date of enactment of this subsection and every year thereafter, the Attorney General shall publish the approved manufacturing quota for each manufacturer of fentanyl, oxycodone, hyrdocodone, oxymorphone, and hyrdomorphone for that year.

''(B) For any year in which the approved manufacturing quota for a manufacturer for any substance described in subparagraph (A) is higher than the approved manufacturing quota for a manufacturer for the substance in the previous year, the Attorney General shall publish a report explaining why the public health benefits of increasing such quota outweigh the consequences of having an increased volume of such substance available for sale, and potential diversion, in the United States.

''(C) For any substance described in subparagraph (A) that is approved under section 505 of the Federal Food, Drug, and Cosmetic Act after the date of enactment of this subsection, the Attorney General shall publish a report explaining what factors were taken into consideration in setting the manufacturing quota for the substance.

''(3) Not later than 90 days after the date of enactment of this subsection, the Attorney General shall submit to Congress a report on—

''(A) how the Attorney General will ensure that the process of fixing manufacturing quotas under this section takes into consideration efforts to reduce the costs, injuries, and deaths associated with the abuse of prescription opioids and heroin;

''(B) formal steps that will be taken to improve data collection from approved drug collection receptacles, mail-back programs, and take-back events on the volume and class of controlled substances that are collected; and

''(C) how the information described in subparagraphs (A) and (B) will influence the quota-setting process of the Attorney General in the following year.''.

SEC. 5. CONTINUING MEDICAL EDUCATION AND PRESCRIPTION DRUG MONITORING PROGRAM REGISTRATION FOR PRESCRIBERS.

Section 303 of the Controlled Substances Act (21 U.S.C. 823) is amended by adding at the end the following:

''(k)(1) The Attorney General shall not register, or renew the registration of, a practitioner under subsection (f) who is licensed under State law to prescribe controlled substances in schedule II, III, or IV, unless the practitioner submits to the Attorney General, for each such registration or renewal request, a written certification that—

''(A)(i) the practitioner has, during the 1-year period preceding the registration or renewal request, completed a training program described in paragraph (2); or

''(ii) the practitioner, during the applicable registration period, will not prescribe such controlled substances in amounts in excess of a 72-hour supply (for which no refill is available); and

''(B) the practitioner has registered with the prescription drug monitoring program of the State in which the practitioner practices, if the State has such program.

''(2) A training program described in this paragraph is a training program that—

''(A) follows the best practices for pain management, as described in the 'Guideline for Prescribing Opioids for Chronic Pain' as published by the Centers for Disease Control and Prevention in 2016, or any successor thereto;

''(B) includes information on—

''(i) recommending non-opioid and non-pharmacological therapy;

''(ii) establishing treatment goals and evaluating patient risks;

''(iii) prescribing the lowest dose and fewest number of pills considered effective;

''(iv) addictive and overdose risks of opioids;

''(v) diagnosing and managing substance use disorders, including linking patients to evidence-based treatment;

''(vi) identifying narcotics-seeking behaviors; and

''(vii) using prescription drug monitoring programs; and

''(C) is approved by the Secretary of Health and Human Services.''.

SEC. 6. REPORT ON PRESCRIBER EDUCATION COURSES FOR MEDICAL AND DENTAL STUDENTS.

Each school of medicine, school of osteopathic medicine, and school of dentistry participating in a program under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a et seq.), as a condition for such participation, shall submit an annual report to Congress on any prescriber education courses focused specifically on pain management and responsible opioid prescribing practices that such school requires students to take, and whether such courses are consistent with the most recently published version of the ''Guideline for Prescribing Opioids for Chronic Pain'' of the Centers for Disease Control and Prevention.

SEC. 7. REQUIREMENTS UNDER PRESCRIPTION DRUG MONITORING PROGRAMS.

(a) IN GENERAL.—Beginning 1 year after the date of enactment of this Act, each State that receives funding under the Harold Rogers Prescription Drug Monitoring Program established under the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2002 (Public Law 107–77; 115 Stat. 748), the controlled substance monitoring program under section 399O of the Public Health Service Act (42 U.S.C. 280g–3), or the Prescription Drug Overdose: Prevention for States program of the Centers for Disease Control and Prevention shall—

(1) require practitioners, or their designees, in the State to consult the database of the prescription drug monitoring program before writing prescriptions for controlled substances (as such term is defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)) in schedule II, III, or IV under section 202 of such Act (21 U.S.C. 812);

(2) require dispensers of controlled substances in schedule II, III, or IV, or their designees, to input data into the database of the prescription drug monitoring program within 24 hours of filling a qualifying prescription, as required by the Attorney General and the Secretary of Health and Human Services, including patient identifier information, the national drug code of the dispensed drug, date of dispensing the drug, quantity and dosage of the drug dispensed, form of payment, Drug Enforcement Administration registration number of the practitioner, Drug Enforcement Administration registration number of the dispenser;

(3) allow practitioners and dispensers to designate other appropriate individuals to act as agents of such practitioners and dispensers for purposes of obtaining and inputing data from the database for purposes of complying with paragraphs (1) and (2), as applicable;

(4) provide informational materials for practitioners and dispensers to identify and refer patients with possible substance use disorders to professional treatment specialists;

(5) establish formal data sharing agreements to foster electronic connectivity with the prescription drug monitoring programs of each State (if such State has such a program) with which the State shares a border, to facilitate the exchange of information through an established technology architecture that ensures common data standards, privacy protection, and secure and streamlined information sharing;

(6) notwithstanding section 399O(f)(1)(B) of the Public Health Service Act (42 U.S.C. 280g–3(f)(1)(B)), authorize direct access to the State's database of the prescription drug monitoring program to all State law enforcement agencies, State boards responsible for the licensure, regulation, or discipline of practitioners, pharmacists, or other persons authorized to prescribe, administer, or dispense controlled substances; and

(7) in order to enhance accountability in prescribing and dispensing patterns, not fewer than 4 times per year, proactively provide informational reports on aggregate trends and individual outliers, based on information available through the State prescription drug monitoring program to—

(A) the State entities and persons described in paragraph (6); and

(B) the Medicaid agency, workers compensation programs, and the department of public health of the State.

(b) TRANSPARENCY IN PRESCRIBING PRACTICES AND INTERVENTION FOR HIGH PRESCRIBERS.—

(1) STATE REPORTING REQUIREMENT.—Each State that receives funding under the Harold Rogers Prescription Drug Monitoring Program established under the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2002 (Public Law 107–77; 115 Stat. 748), the controlled substance monitoring program under section 399O of the Public Health Service Act (42 U.S.C. 280g–3), or the Prescription Drug Overdose: Prevention for States program of the Centers for Disease Control and Prevention shall, twice per year, submit to the Secretary of Health and Human Services and the Administrator of the Drug Enforcement Administration—

(A) a list of all practitioners and dispensers who, in the applicable reporting period, have prescribed or dispensed schedule II, III, or IV opioids in the State;

(B) the amount of schedule II, III, or IV opioids that were prescribed and dispensed by each individual practitioner and dispenser described in subparagraph (A); and

(C) any additional information that the Secretary and Administrator may require to support surveillance and evaluation of trends in prescribing or dispensing of schedule II, III, or IV opioids, or to identify possible nonmedical use and diversion of such substances.

(2) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary of Health and Human Services, in consultation with the Administrator of the Drug Enforcement Administration, the Secretary of Defense, the Secretary of Veterans Affairs, and the Director of the Indian Health Service, shall submit to Congress, and make public, a report identifying the geographic areas with the highest rates of opioid prescribing in the Nation, by zip code.

(3) DEVELOPMENT OF ACTION PLAN.—

(A) INITIAL PLAN.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services, in consultation with the Administrator of the Drug Enforcement Administration, the Secretary of Defense, the Secretary of Veterans Affairs, and the Director of the Indian Health Service, shall submit to Congress a plan of action, including warning letters and enforcement mechanisms, for addressing outliers in opioid prescribing practices and ensuring an adequate Federal response to protect the public health.

(B) UPDATED PLAN.—The Secretary of Health and Human Services shall submit to Congress updates to the plan of action described in subparagraph (A), as such Secretary, in consultation with the heads of agencies described in such subparagraph, determines appropriate.

(c) DEFINITIONS.—In this section, the terms ''dispenser'' and ''practitioner'' have the meanings given such terms in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(d) AUTHORIZATION OF APPROPRIATIONS.—In addition to any other amounts appropriated to carry out the Prescription Drug Overdose: Prevention for States program of the Centers for Disease Control and Prevention, for purposes of enhancing the utilization, interoperability, and integration of State prescription drug monitoring programs, there are authorized to be appropriated $70,000,000 for each of fiscal years 2017 through 2021.

SEC. 8. DEVELOPMENT OF NEW PAIN-RELATED MEASURES UNDER THE MEDICARE HOSPITAL VALUE-BASED PURCHASING PROGRAM TO ELIMINATE FINANCIAL INCENTIVES TO OVER-PRESCRIBE OPIOIDS.

Section 1886(o)(2)(B) of the Social Security Act (42 U.S.C. 1395ww(o)(2)(B)) is amended—

(1) in clause (i)(II), by inserting '', subject to clause (iii),'' after ''shall''; and

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

''(iii) DEVELOPMENT OF NEW PAIN-RELATED MEASURES.—

''(I) MORATORIUM UNTIL NEW MEASURES APPLICABLE.—For value-based incentive payments made with respect to discharges occurring during fiscal year 2018 and each subsequent fiscal year (before the first fiscal year in which new measures are applicable under subclause (II)(cc)), the Secretary shall ensure that measures selected under subparagraph (A) (such as measures related to the Hospital Consumer Assessment of Healthcare Providers and Systems survey) do not include measures based on any assessments by patients, with respect to hospital stays of such patients, of—

''(aa) the need of such patients, during such stay, for medicine for pain;

''(bb) how often, during such stay, the pain of such patients was well controlled; or

''(cc) how often, during such stay, the staff of the hospital in which such stay occurred did everything they could to help the patient with the pain experienced by the patient.

''(II) DEVELOPMENT OF NEW MEASURES.—

''(aa) DEVELOPMENT.—Not later than 3 years after the date of enactment of this clause, the Secretary shall develop measures of patient experience of care with respect to pain management that balance the breadth of effective pain management tools with awareness for the role of over-prescribing (including, if appropriate, opioid-seeking behaviors) in the prescription opioid epidemic.

''(bb) CONSULTATION.—The Secretary shall consult with relevant stakeholders in developing measures under item (aa).

''(cc) APPLICATION FOR VALUE-BASED INCENTIVE PAYMENTS.—For value-based incentive payments made with respect to discharges

occurring during a fiscal year beginning on or after the date on which the Secretary develops new measures under item (aa), the Secretary shall ensure that measures selected under subparagraph (A) (such as measures related to the Hospital Consumer Assessment of Healthcare Providers and Systems survey) include such new measures.''.

SEC. 9. NATIONAL ACADEMY OF MEDICINE STUDY.

(a) STUDY.—The Secretary of Health and Human Services shall enter into a contract with the National Academy of Medicine to carry out a study on the addition of coverage under the Medicare program under title XVIII of the Social Security Act of alternative treatment modalities (such as integrative medicine, including acupuncture and exercise therapy, neural stimulation, biofeedback, radiofrequency ablation, and trigger point injections) furnished to Medicare beneficiaries who suffer from acute or chronic lower back pain. Such study shall, pursuant to the contract under this paragraph, include an analysis of—

(1) scientific research on the short-term and long-term impact of the addition of such coverage on clinical efficacy for pain management of such beneficiaries;

(2) whether the lack of Medicare coverage for alternative treatment modalities impacts the volume of opioids prescribed for beneficiaries; and

(3) the cost to the Medicare program of the addition of such coverage to treat pain and mitigate the progression of chronic pain, as weighed against the cost of opioid use disorder, overdose, readmission, subsequent surgeries, and utilization and expenditures under parts B and D of such title.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, pursuant to the contract under subsection (a), the National Academy of Medicine shall submit to Congress a report on the study under subsection (a).

(c) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated such sums as may be necessary.

SEC. 10. EXCISE TAX ON OPIOID PAIN RELIEVERS.

(a) IN GENERAL.—Subchapter E of chapter 32 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 4192. OPIOID PAIN RELIEVERS.

''(a) IN GENERAL.—There is hereby imposed on the manufacturer or producer of any taxable active opioid a tax equal to the amount determined under subsection (b).

''(b) AMOUNT DETERMINED.—The amount determined under this subsection with respect to a manufacturer or producer for a calendar year is 1 cent per milligram of taxable active opioid in the production or manufacturing quota determined for such manufacturer or producer for the calendar year under section 306 of the Controlled Substances Act (21 U.S.C. 826).

''(c) TAXABLE ACTIVE OPIOID.—For purposes of this section—

''(1) IN GENERAL.—The term 'taxable active opioid' means any controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802), as in effect on the date of the enactment of this section) manufactured in the United States which is opium, an opiate, or any derivative thereof.

''(2) EXCLUSIONS.—

''(A) OTHER INGREDIENTS.—In the case of a product that includes a taxable active opioid and another ingredient, subsection (a) shall apply only to the portion of such product that is a taxable active opioid.

''(B) DRUGS USED IN ADDICTION TREATMENT.—The term 'taxable active opioid' shall not include any controlled substance (as so defined) which is used exclusively for the treatment of opioid addiction as part of a medication-assisted treatment.''.

(b) CLERICAL AMENDMENTS.—

(1) The heading of subchapter E of chapter 32 of the Internal Revenue Code of 1986 is amended by striking ''**Medical Devices**'' and inserting ''**Other Medical Products**''.

(2) The table of subchapters for chapter 32 of such Code is amended by striking the item relating to subchapter E and inserting the following new item:

''SUBCHAPTER E. OTHER MEDICAL PRODUCTS''.

(3) The table of sections for subchapter E of chapter 32 of such Code is amended by adding at the end the following new item:

''Sec. 4192. Opioid pain relievers.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to calendar years beginning after the date of the enactment of this Act.

SEC. 11. OPIOID CONSUMER ABUSE REDUCTION PROGRAM.

(a) OPIOID TAKE-BACK PROGRAM.—Section 302 of the Controlled Substances Act (21 U.S.C. 822) is amended by adding at the end the following:

''(h)(1) The Attorney General shall establish a national take-back program for the safe and environmentally responsible disposal of controlled substances.

''(2) In establishing the take-back program required under paragraph (1), the Attorney General—

''(A) shall consult with the Secretary and the Administrator of the Environmental Protection Agency; and

''(B) may coordinate with States, law enforcement agencies, water resource management agencies, manufacturers, practitioners, pharmacists, public health entities, transportation and incineration service contractors, and other entities and individuals, as appropriate.

''(3) The take-back program established under paragraph (1)—

''(A) shall—

''(i) ensure appropriate geographic distribution so as to provide—

''(I) reasonably convenient and equitable access to permanent take-back locations, including not less than 1 disposal site for every 25,000 residents and not less than 1 physical disposal site per town, city, county, or other unit of local government, where possible; and

''(II) periodic collection events and mail-back programs, including public notice of such events and programs, as a supplement to the permanent take-back locations described in subclause (I), particularly in areas in which the provision of access to such locations at the level described in that subclause is not possible;

''(ii) establish a process for the accurate cataloguing and reporting of the quantities of controlled substances collected; and

''(iii) include a public awareness campaign and education of practitioners and pharmacists; and

''(B) may work in coordination with State and locally implemented public and private take-back programs.

''(4) From time to time, beginning in the second calendar year that begins after the date of enactment of this subsection, the Secretary of the Treasury shall transfer from the general fund of the Treasury an amount equal to one-half of the total amount of taxes collected under section 4192 of the Internal Revenue Code of 1986 to the Attorney General to carry out this subsection. Amounts transferred under this subparagraph shall remain available until expended.''.

(b) FUNDING OF SUBSTANCE ABUSE PROGRAMS.—From time to time, beginning in the second calendar year that begins after the date of enactment of this Act, the Secretary of the Treasury shall transfer from the general fund of the Treasury an amount equal to one-half of the total amount of taxes collected under section 4192 of the Internal Revenue Code of 1986, as added by this Act, to the Director of the Center for Substance Abuse Treatment of the Substance Abuse and Mental Health Services Administration for programs of the Center, including the Block Grants for Prevention and Treatment of Substance Abuse program under subpart II of part B of title XIX of the Public Health Service Act (42 U.S.C. 300x–21 et seq.) and Programs of Regional and National Significance. Amounts transferred under this subsection shall remain available until expended.

SEC. 12. GAO STUDY.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study evaluating the various State laws, commercial insurance methods, and existing research on requirements that place limitations on opioid prescribing practices and provide analysis on best practices to address over-prescribing of opioids, while ensuring that individuals who need such opioids can access them safely. Such study shall provide recommendations, including with respect to—

(1) limiting first-time opioid prescriptions to a patient for acute pain to a 72-hour supply;

(2) allowing patients or practitioners to request that a prescription for a schedule II opioid be partially filled by a pharmacist; and

(3) pain management treatment contracts between practitioners and patients that establish informed consent regarding the expectations, risks, long-term effects, and benefits of the course of opioid treatment, treatment goals, the potential for opioid misuse, abuse, or diversion, and requirements and responsibilities of patients, such as submitting to a urine drug screening.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 495—RECOGNIZING THE BOY SCOUTS OF AMERICA ON THE 100TH ANNIVERSARY OF THE ORGANIZATION BEING GRANTED A FEDERAL CHARTER AND FOR THE LONG HISTORY OF HERITAGE AND SERVICE OF THE BOY SCOUTS OF AMERICA

Mr. ENZI (for himself, Mr. CARPER, Mr. INHOFE, Mr. BROWN, Mr. BURR, Mr. ALEXANDER, Mr. TOOMEY, Mr. CRAPO, Mr. COCHRAN, Ms. MURKOWSKI, Mr. BOOZMAN, and Mr. HOEVEN) submitted the following resolution; which was considered and agreed to:

S. RES. 495

Whereas the Boy Scouts of America was founded on February 8, 1910, in Washington, D.C. by Chicago publisher William D. Boyce after the ''unknown scout'' aided a lost Mr. Boyce through a dense London fog and refused a tip for the assistance;

Whereas the birth of the Boy Scouts of America was based on the principles of the Scout Movement founded by famed British retired General Lord Robert Stephenson Smyth Baden-Powell;

Whereas the Federal charter of the Boy Scouts of America was passed by the House of Representatives and the Senate, and was

signed into law by President Woodrow Wilson, the Honorary President of the Boy Scouts of America, on June 15, 1916;

Whereas, with the enactment of the Federal charter, the Boy Scouts of America became the preeminent Scout organization for boys and was granted exclusive use of the name, ''Boy Scouts of America'';

Whereas the Boy Scouts of America, with a Federal charter, joins other distinguished organizations with a similar charter for service to the community, including the American Red Cross, the Girl Scouts of the United States of America, and the American Legion;

Whereas the Boy Scouts of America continues to prepare young people to make ethical and moral choices by teaching them the values of the Scout Oath and Scout Law;

Whereas the Boy Scouts of America continues to pursue the mission of ''patriotism, courage, self-reliance, and kindred values'' and the goal of providing ''citizenship, service and leadership'';

Whereas both youth and adult members strive to fulfill the Scout Motto of ''Be Prepared'' and the Scout Slogan of ''Do a Good Turn Daily'';

Whereas more than 2,400,000 youth and 1,000,000 adult volunteers are active members of the Boy Scouts of America, and more than 110,000,000 people in the United States have participated as members since 1910;

Whereas the Cub Scouts is a family-oriented program of the Boy Scouts of America that has been designed specifically to address the needs of younger boys since its origin in 1930;

Whereas youth and adult members of the Cub Scouts strive to fulfill the Cub Scout Motto of ''Do Your Best'';

Whereas the Venturing Program, the co-ed portion of the Boy Scouts of America, and the Exploring Program, the career initiative-based portion of the organization, continue to serve older youth;

Whereas special programs, including Scoutreach, the 'History Of Scouting Trail', and the national High Adventure Bases, continue to bring Scouting to inner-city youth, educate people about the important history and heritage of the Scout Program, and provide outdoor challenges and experiences for members of the Boy Scouts of America; and

Whereas Boy Scouts and Eagle Scouts of the Boy Scouts of America organization provide more than 28,000,000 hours of community service every year throughout cities and neighborhoods in the United States, including its territories: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes more than 100 years of service and leadership development by the Boy Scouts of America;

(2) encourages the continued emphasis of the Boy Scouts of America on character building, responsible citizenship, and outdoor stewardship;

(3) applauds the Boy Scouts of America for instilling the values of the Scout Oath and the Scout Law in young people of the United States; and

(4) congratulates the Boy Scouts of America on the 100th anniversary of the granting of a Federal charter on June 15, 1916.

SENATE RESOLUTION 496—CONDEMNING THE TERRORIST ATTACK ON THE PULSE ORLANDO NIGHTCLUB, HONORING THE MEMORY OF THE VICTIMS OF THE ATTACK, OFFERING CONDOLENCES TO AND EXPRESSING SUPPORT FOR THEIR FAMILIES AND FRIENDS AND ALL THOSE AFFECTED, AND APPLAUDING THE DEDICATION AND BRAVERY OF LAW ENFORCEMENT, EMERGENCY RESPONSE, AND COUNTERTERRORISM OFFICIALS IN RESPONDING TO THE ATTACK

Mr. NELSON (for himself, Mr. RUBIO, Mr. MCCONNELL, Mr. REID, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. ERNST, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mr. GARDNER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. PAUL, Mr. PERDUE, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROUNDS, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. UDALL, Mr. VITTER, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 496

Whereas, in the early hours of Sunday, June 12, 2016, a 29-year-old man from Ft. Pierce, Florida, killed 49 and wounded 53 innocent people in a horrific terrorist attack on Pulse Orlando, a lesbian, gay, bisexual, and transgender nightclub, during Latin night;

Whereas the gunman, who was investigated in 2013–2014 by the Federal Bureau of Investigation (in this preamble referred to as the ''FBI'') for possible connections to terrorism, pledged his allegiance to the leader of the Islamic State of Iraq and the Levant (in this preamble referred to as ''ISIL'');

Whereas President Barack Obama called the attack an act of both terror and hate as well as an attack on all of the people of the United States and the fundamental values of equality and dignity;

Whereas the attack is the deadliest mass shooting in the modern history of the United States and the worst terrorist attack on United States soil since September 11, 2001;

Whereas the law enforcement professionals of the city of Orlando and Orange County, Florida, the Florida Department of Law Enforcement, the FBI, and the Bureau of Alcohol, Tobacco, Firearms, and Explosives, and other emergency and health care professionals responded to the attack bravely and admirably and in a coordinated manner, saving many lives;

Whereas following the attack hundreds of people stood in long lines to donate blood for those injured in the attack, and the people of Orlando, the State of Florida, and the United States expressed overwhelming support for the victims and their families regardless of race, ethnicity, religion, sex, or sexual orientation; and

Whereas the threat of terrorist attacks against the United States and the people of the United States persists, including the threat posed by homegrown terrorists inspired by foreign terrorist organizations like ISIL: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the horrific terrorist attack on the Pulse Orlando nightclub on June 12, 2016, in which 49 innocent people were killed and 53 injured;

(2) honors the memory of the victims killed in the attack and offers heartfelt condolences and deepest sympathies for their families, loved ones, and friends;

(3) expresses hope for a full and speedy recovery by and pledges continued support for those injured in the attack;

(4) applauds the dedication and bravery of local, State, and Federal law enforcement and counterterrorism officials for their efforts to respond to the attack and secure communities;

(5) stands together with all people of the United States, regardless of race, ethnicity, religion, sex, or sexual orientation, in the face of terror and hate; and

(6) reaffirms the commitment of the United States and its allies to defeat the Islamic State of Iraq and the Levant and other terrorist groups at home and abroad and to address the threat posed by homegrown terrorism.

SENATE RESOLUTION 497—HONORING THE LIFE AND LEGACY OF GORDON ''GORDIE'' HOWE

Ms. STABENOW (for herself and Mr. PETERS) submitted the following resolution; which was considered and agreed to:

S. RES. 497

Whereas Gordon Howe (in this preamble referred to as ''Gordie Howe'') was born in Floral, Saskatchewan, Canada, on March 31, 1928, and was invited to his first tryout with a professional hockey team at 15 years of age;

Whereas Gordie Howe entered the National Hockey League (in this preamble referred to as the ''NHL'') in 1946 at 18 years of age when he joined the Detroit Red Wings and scored a goal in his very first game;

Whereas Gordie Howe played right wing on the ''Production Line'', the most productive offensive scoring unit in the NHL from the late 1940s through the mid-1950s;

Whereas Gordie Howe played 25 seasons with the Detroit Red Wings and led the team to 4 Stanley Cup championships;

Whereas, in 1972, Gordie Howe was inducted into the Hockey Hall of Fame;

Whereas, in 1973, Gordie Howe joined the Houston Aeros of the World Hockey Association (in this preamble referred to as the ''WHA'') to fulfill a dream of playing hockey on the same professional team as his sons;

Whereas Gordie Howe proceeded to win the Most Valuable Player award of the WHA and lead the Houston Aeros to the WHA championship;

Whereas Gordie Howe retired from professional hockey in 1980, having scored 1,850 career points in the NHL, which are the third most of all time;

Whereas Gordie Howe appeared in 23 NHL All-Star games, led the NHL in scoring 6 times, and won the Hart Memorial Trophy as the most valuable player in the league 6 times;

Whereas, in 1997, at the age of 69, Gordie Howe came out of retirement to join the Detroit Vipers of the International Hockey League and became the first player ever to play professional hockey in 6 different decades;

Whereas the ''Gordie Howe hat trick'', a goal, an assist, and a fight in the same game, is named after Gordie Howe, though he had only 2 such games in his career;

Whereas Gordie Howe is considered one of the greatest hockey players of all time and to millions of fans worldwide will always be known as ''Mr. Hockey'';

Whereas Gordie Howe was predeceased by his wife of 56 years, Colleen Howe, who died in 2009 and was affectionately known as ''Mrs. Hockey'';

Whereas Gordie Howe is so beloved throughout the United States and Canada that a new international bridge connecting Detroit and Windsor has been named in his honor;

Whereas, on June 10, 2016, Gordie Howe died at 88 years of age, after a long career enjoyed by millions; and

Whereas Gordie Howe is survived by his 4 children, many grandchildren and great-grandchildren, a sister, and by hockey fans across the United States: Now, therefore, be it

Resolved, That the Senate—

(1) honors the life and legacy of Gordon ''Gordie'' Howe for his significant contributions to the sport of hockey and the city of Detroit;

(2) expresses its deepest sympathies and condolences to the family of Gordie Howe on his passing; and

(3) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to the family of Gordie Howe.

SENATE RESOLUTION 498—DESIGNATING JUNE 15, 2016, AS ''WORLD ELDER ABUSE AWARENESS DAY''

Mr. BLUMENTHAL (for himself, Ms. COLLINS, Ms. AYOTTE, Mrs. MCCASKILL, Mr. GRASSLEY, Mr. CASEY, Mr. COTTON, Mr. TILLIS, Mr. MURPHY, and Mr. HELLER) submitted the following resolution; which was considered and agreed to:

S. RES. 498

Whereas Federal Government estimates show that more than 1 in 10 persons over age 60, or 6,000,000 individuals, are victims of elder abuse each year;

Whereas the vast majority of the abuse, neglect, and exploitation of older adults in the United States goes unidentified and unreported;

Whereas only 1 in 44 cases of financial abuse of older adults is reported;

Whereas at least $2,900,000,000 is taken from older adults each year due to financial abuse and exploitation;

Whereas elder abuse, neglect, and exploitation have no boundaries and cross all racial, social, class, gender, and geographic lines;

Whereas older adults who are abused are 3 times more likely to die earlier than older adults of the same age who are not abused;

Whereas ½ of all older adults with dementia will experience abuse;

Whereas providing unwanted medical treatment can be a form of elder abuse and exploitation;

Whereas public awareness has the potential to increase the identification and reporting of elder abuse by the public, professionals, and victims, and can act as a catalyst to promote issue-based education and long-term prevention;

Whereas private individuals and public agencies must work together on the Federal, State, and local levels to combat increasing occurrences of abuse, neglect, and exploitation crime and violence against vulnerable older adults and vulnerable adults, particularly in light of limited resources for vital protective services; and

Whereas 2016 is the 11th anniversary of World Elder Abuse Awareness Day: Now, therefore, be it

Resolved, That the Senate—

(1) designates June 15, 2016, as ''World Elder Abuse Awareness Day'';

(2) recognizes judges, lawyers, adult protective services professionals, law enforcement officers, long-term care ombudsmen, social workers, health care providers, professional guardians, advocates for victims, and other professionals and agencies for the efforts to advance awareness of elder abuse; and

(3) encourages members of the public and professionals who work with older adults to act as catalysts to promote awareness and long-term prevention of elder abuse by reaching out to local adult protective services agencies, long-term care ombudsman programs, and the National Center on Elder Abuse, and by learning to recognize, detect, report, and respond to elder abuse.

SENATE RESOLUTION 499—CONGRATULATING THE PITTSBURGH PENGUINS FOR WINNING THE 2016 STANLEY CUP HOCKEY CHAMPIONSHIP

Mr. TOOMEY (for himself and Mr. CASEY) submitted the following resolution; which was considered and agreed to:

S. RES. 499

Whereas on June 12, 2016, the Pittsburgh Penguins won the 2016 Stanley Cup hockey championship;

Whereas the Penguins, in their 49th year playing in the National Hockey League (NHL), won their fourth Stanley Cup;

Whereas the Penguins defeated the Western Conference Champion San Jose Sharks in the Stanley Cup Finals, clinching the series with 4 wins and 2 losses;

Whereas the Penguins endured 3 tough opponents en route to the championship, defeating the New York Rangers, the Washington Capitals, and the Tampa Bay Lightning to clinch the Eastern Conference title and win their fifth Prince of Wales Trophy;

Whereas the city of Pittsburgh is fittingly nicknamed ''The City of Champions'', highlighting the success of Pittsburgh professional sports teams, which have tallied 15 championships;

Whereas the Penguins have an active sell-out streak of 431 games, illustrating the love of the fans for the Penguins team and players;

Whereas Mike Sullivan took over as Penguins head coach on December 12, 2015, turning around the Penguins season and leading the team to a second-place finish in the Metropolitan Division and a spot in the playoffs;

Whereas NHL Hall of Famer Mario Lemieux and Ron Burkle have jointly owned the team for 17 years, saving the Penguins from relocation and maintaining the team for the city of Pittsburgh;

Whereas Penguins General Manager Jim Rutherford made several critical trades to acquire talented players that fit perfectly into the Penguins upbeat style of play, including forwards Phil Kessel, Carl Hagelin, and Nick Bonino, who form the trio affectionately known as the ''HBK'' line;

Whereas longtime Penguins radio announcer Mike Lange is beloved by loyal fans of the team for such expressions as ''Lord Stanley, Lord Stanley, get me the brandy'';

Whereas Penguins Captain Sidney Crosby, who has shown immense leadership, commitment to the team, and unparalleled skill throughout his outstanding career, was awarded the Conn Smythe Trophy as the 2016 NHL Playoffs Most Valuable Player;

Whereas goaltender Matt Murray dazzled throughout the playoffs, maintaining his unbelievably cool composure as a rookie on the biggest stage of hockey while compiling a 15–6 record, a 2.08 goals-against average, and a 0.923 save percentage; and

Whereas the entire Penguins roster contributed to the Stanley Cup victory, including Matt Cullen, Pascal Dupuis, Eric Fehr, Patric Hornqvist, Tom Kuhnhackl, Chris Kunitz, Evgeni Malkin, Bryan Rust, Conor Sheary, Oskar Sundqvist, Ian Cole, Trevor Daley, Brian Dumoulin, Justin Schultz, Kris Letang, Ben Lovejoy, Olli Maatta, Derrick Pouliot, Marc-Andre Fleury, and Jeff Zatkoff: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Pittsburgh Penguins and the loyal fans of the Penguins for becoming the 2016 NHL Stanley Cup champions; and

(2) respectfully directs the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) the co-owners of the Pittsburgh Penguins, Mario Lemieux and Ron Burkle;

(B) the President of the Pittsburgh Penguins, David Morehouse; and

(C) the Head Coach of the Pittsburgh Penguins, Mike Sullivan.

SENATE RESOLUTION 500—DESIGNATING JUNE 19, 2016, AS ''JUNETEENTH INDEPENDENCE DAY'' IN RECOGNITION OF JUNE 19, 1865, THE DATE ON WHICH SLAVERY LEGALLY CAME TO AN END IN THE UNITED STATES

Mr. CORNYN (for himself, Mrs. BOXER, Ms. BALDWIN, Mr. BENNET, Mr. BOOKER, Mr. BROWN, Mr. BURR, Mr. CASEY, Mr. COCHRAN, Mr. CRAPO, Mr. CRUZ, Mr. DURBIN, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Ms. HIRONO, Mr. INHOFE, Mr. KAINE, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. MARKEY, Mr. MERKLEY, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PETERS, Mr. REID, Mr. RUBIO, Mr. SCHUMER, Mr. SCOTT, Ms. STABENOW, Mr. TILLIS, Mr. WARNER, Mr. WHITEHOUSE, Mr. WICKER, Mr. WYDEN, and Ms. WARREN) submitted the following resolution; which was considered and agreed to:

S. RES. 500

Whereas news of the end of slavery did not reach the frontier areas of the United States, in particular the State of Texas and the other Southwestern States, until months after the conclusion of the Civil War, more than 2 ½ years after President Abraham Lincoln issued the Emancipation Proclamation on January 1, 1863;

Whereas, on June 19, 1865, Union soldiers, led by Major General Gordon Granger, arrived in Galveston, Texas, with news that the Civil War had ended and that the enslaved were free;

Whereas African-Americans who had been slaves in the Southwest celebrated June 19, commonly known as ''Juneteenth Independence Day'', as inspiration and encouragement for future generations;

Whereas African-Americans from the Southwest have continued the tradition of observing Juneteenth Independence Day for over 150 years;

Whereas 45 States and the District of Columbia have designated Juneteenth Independence Day as a special day of observance in recognition of the emancipation of all slaves in the United States;

Whereas Juneteenth Independence Day celebrations have been held to honor African-American freedom while encouraging self-development and respect for all cultures;

Whereas the faith and strength of character demonstrated by former slaves and the descendants of former slaves remain an example for all people of the United States, regardless of background, religion, or race;

Whereas slavery was not officially abolished until the ratification of the 13th Amendment to the Constitution of the United States in December 1865; and

Whereas, over the course of its history, the United States has grown into a symbol of democracy and freedom around the world: Now, therefore, be it

Resolved, That the Senate—

(1) designates June 19, 2016, as ''Juneteenth Independence Day'';

(2) recognizes the historical significance of Juneteenth Independence Day to the United States;

(3) supports the continued nationwide celebration of Juneteenth Independence Day to provide an opportunity for the people of the United States to learn more about the past and to better understand the experiences that have shaped the United States; and

(4) recognizes that the observance of the end of slavery is part of the history and heritage of the United States.

SENATE CONCURRENT RESOLUTION 41—EXPRESSING THE SENSE OF CONGRESS ON THE PESHMERGA OF THE KURDISTAN REGION OF IRAQ

Mrs. ERNST (for herself and Mrs. BOXER) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 41

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) the Peshmerga of the Kurdistan Region of Iraq have been one of the most effective fighting forces in the military campaign against the Islamic State of Iraq and al-Sham (ISIS);

(2) the Islamic State of Iraq and al-Sham poses an acute threat to the Iraqi people and territorial integrity of Iraq, including the Kurdistan Region of Iraq, and the security and stability of the Middle East;

(3) the severe budget shortfalls faced by both the Government of Iraq and the Kurdistan Regional Government are hindering the stability of Iraq and have the potential to undermine long-term efforts to bring about the sustainable defeat of the Islamic State of Iraq and al-Sham;

(4) the $415,000,000 pledged by the United States Government to the Kurdish Peshmerga in April of 2016, in coordination with the Government of Iraq, in addition to the $65,000,000 already provided from the Iraq Train and Equip Fund, should remain a priority for the United States as part of the continued support for Iraqi Security Forces, including the Peshmerga, in the fight against the Islamic State of Iraq and al-Sham;

(5) the Peshmerga should receive all weapons and equipment that the United States, in coordination with the Government of Iraq, agrees to provide in an expeditious and in a timely manner;

(6) the Peshmerga require equipment that will allow them to defend themselves and their coalition advisers against the increased use of vehicle-borne improvised explosive devices by the Islamic State of Iraq and al-Sham;

(7) the Peshmerga are vital partners in the fight against the Islamic State of Iraq and al-Sham; and

(8) in coordination with the Government of Iraq, the United States will endeavor to increase assistance to Iraqi Kurdish Forces to enhance their combat medicine and logistical capabilities, to defend internally displaced persons and refugees, and to defend the Peshmerga and their coalition advisers.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4721. Mr. ROUNDS (for himself and Mr. THUNE) submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table.

SA 4722. Mr. LEE submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4723. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4724. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4725. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4726. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4727. Mr. CORNYN (for Mr. GRASSLEY (for himself, Mr. CORNYN, Mr. LEAHY, Mrs. FEINSTEIN, and Mr. LANKFORD)) proposed an amendment to the bill S. 2577, to protect crime victims' rights, to eliminate the substantial backlog of DNA and other forensic evidence samples to improve and expand the forensic science testing capacity of Federal, State, and local crime laboratories, to increase research and development of new testing technologies, to develop new training programs regarding the collection and use of forensic evidence, to provide post-conviction testing of DNA evidence to exonerate the innocent, to support accreditation efforts of forensic science laboratories and medical examiner offices, to address training and equipment needs, to improve the performance of counsel in State capital cases, and for other purposes.

SA 4728. Mr. KIRK submitted an amendment intended to be proposed by him to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table.

SA 4729. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4730. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4731. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4732. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4733. Mr. CRUZ (for himself, Mr. LEE, Mr. LANKFORD, and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4734. Mr. CRUZ (for himself, Mr. LEE, and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4735. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4736. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4737. Mr. GRASSLEY (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4738. Mr. LANKFORD (for himself, Mr. CORNYN, Mr. LEE, Mr. HATCH, Mr. CRUZ, Mr. INHOFE, and Mr. JOHNSON) submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4739. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4740. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4741. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4742. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4743. Mr. HATCH submitted an amendment intended to be proposed to amendment

SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4744. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4745. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4746. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4747. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4748. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4749. Mr. MCCONNELL (for Mr. CORNYN) proposed an amendment to amendment SA 4720 proposed by Mrs. FEINSTEIN (for herself, Mr. LEAHY, Mr. NELSON, Mr. REID, Mr. DURBIN, Mr. SCHUMER, Ms. MIKULSKI, Mrs. BOXER, Mr. UDALL, Mr. CARPER, Mr. MARKEY, Mr. MENENDEZ , Mr. COONS, Mr. BLUMENTHAL, Mrs. MURRAY, Mr. BROWN, Mr. SCHATZ, Ms. KLOBUCHAR, Mr. MURPHY, Mrs. MCCASKILL, Mr. HEINRICH, Mr. FRANKEN, Mr. BOOKER, and Mr. KAINE) to the amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, supra.

SA 4750. Mr. MCCONNELL (for Mr. MURPHY (for himself, Mr. BOOKER, Mr. BLUMENTHAL, Mr. SCHUMER, and Mr. CARDIN)) proposed an amendment to the bill H.R. 2578, supra.

SA 4751. Mr. MCCONNELL (for Mr. GRASSLEY) proposed an amendment to amendment SA 4750 proposed by Mr. MCCONNELL (for Mr. MURPHY (for himself, Mr. BOOKER, Mr. BLUMENTHAL, Mr. SCHUMER, and Mr. CARDIN)) to the bill H.R. 2578, supra.

SA 4752. Mr. MCCONNELL proposed an amendment to amendment SA 4751 proposed by Mr. MCCONNELL (for Mr. GRASSLEY) to the amendment SA 4750 proposed by Mr. MCCONNELL (for Mr. MURPHY (for himself, Mr. BOOKER, Mr. BLUMENTHAL, Mr. SCHUMER , and Mr. CARDIN)) to the bill H.R. 2578, supra.

SA 4753. Mr. SHELBY (for himself, Mr. SESSIONS, Mr. RUBIO, and Mr. NELSON) submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4754. Ms. CANTWELL (for herself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4755. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4756. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4757. Mr. REID (for himself, Mr. LEAHY, Mrs. MURRAY, Mr. MENENDEZ, and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4758. Mr. GARDNER (for himself, Mr. HATCH, and Mr. JOHNSON) submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4759. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4760. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4761. Mr. BOOZMAN (for himself, Mr. SESSIONS, Mr. TILLIS, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4762. Mr. MERKLEY (for himself, Mr. KIRK, Ms. BALDWIN, Mr. BOOKER, Ms. MIKULSKI, Mrs. SHAHEEN , Mrs. MURRAY, Mr. COONS, and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4763. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4764. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4765. Mrs. GILLIBRAND (for herself and Mr. KIRK) submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4766. Mr. WICKER (for himself, Ms. CANTWELL, and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, supra; which was ordered to lie on the table.

SA 4767. Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4721. Mr. ROUNDS (for himself and Mr. THUNE) submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

After section 217, insert the following:

SEC. 2___. (a) Of amounts made available by this title for the Office of Justice Programs to be used for tribal criminal justice assistance, the Assistant Attorney General for the Office of Justice Programs shall use not more than $25,000,000 to replace outdated detention facilities located on Indian land that the United States has determined to be unfit for detention purposes and beyond rehabilitation.

(b) In conducting activities described in subsection (a), the Assistant Attorney General for the Office of Justice Programs shall give priority to detention facilities located on the land of Indian tribes with not fewer than 10,000 members and that demonstrate readiness and preparedness to commence construction.

SA 4722. Mr. LEE submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 68, between lines 20 and 21, insert the following:

SEC. 218. (a) Notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be used—

(1) to require or coerce an educational institution to enforce, or suggest an educational institution enforce, a more strict actionable harassment standard than that provided under subsection (b); and

(2) by the Department of Justice to take action against an educational institution or State for not implementing guidance, instruction, or a rule promulgated by the Department of Education regarding a more strict actionable harassment standard than that provided under subsection (b).

(b) Speech shall constitute actionable harassment only if the speech—

(1) is directed at an individual; and

(2)(A) is part of a pattern of targeted, unwelcome conduct that is discriminatory on the basis of race, color, national origin, disability, religion, age, sex, or gender;

(B) is severe, pervasive, and objectively offensive; and

(C) so undermines and detracts from the victim's educational experience that the victim is effectively denied equal access to the institution's resources and opportunities.

SA 4723. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 80, between lines 17 and 18, insert the following:

GENERAL PROVISION—NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SEC. 301. None of the funds appropriated or otherwise made available by this Act may be used by the National Aeronautics and Space Administration to prepare a budget request for fiscal year 2018 that does not maintain development milestones and launch schedules for human exploration missions and programs to which the Administration is formally committed or as otherwise identified by this Act.

SA 4724. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related

Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 52, line 1, strike ''$13,500,000'' and insert ''$25,000,000, of which $12,500,000 is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)),''.

SA 4725. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V (before the short title), insert the following:

SEC. ___. COLLECTION OF PAY DATA THROUGH EMPLOYER INFORMATION REPORT EEO–1.

(a) FINDINGS.—Congress finds the following:

(1) The Equal Employment Opportunity Commission (referred to in this section as the ''Commission'') is responsible for enforcing title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), including section 701(k) of that title (commonly known as the ''Pregnancy Discrimination Act'') (42 U.S.C. 2000e(k)), section 6(d) of the Fair Labor Standards Act of 1963 (commonly known as the ''Equal Pay Act of 1963'') (29 U.S.C. 206(d)), title I of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111 et seq.), the Genetic Information Nondiscrimination Act of 2008 (42 U.S.C. 2000ff et seq.), section 504 of the Rehabilitation Act (29 U.S.C. 794), the Age Discrimination in Employment Act of 1967 (29 U.S.C. 621 et seq.), and other Federal civil rights laws that prohibit discrimination in employment.

(2) Employment discrimination can manifest in many ways including firing an employee, paying an employee less, failing to promote an employee, or demoting an employee, because of the employee's race, sex, color, religion, national origin, age, disability, sexual orientation, or gender identity.

(3) Today, on average, women make just 79 cents for every dollar that men make. African-American and Hispanic women are paid just 60 cents and 55 cents, respectively, for every dollar that non-Hispanic White men are paid.

(4) For 50 years, the Commission has collected employment data through the Employer Information Report EEO–1, which provides workforce profiles from private sector employers, categorized by race, ethnicity, sex, and job category.

(5) Pursuant to section 709(c) of the Civil Rights Act of 1964 (42 U.S.C. 2000e–8(c)), the Commission has the authority to collect pay data (including W–2 earnings and hours worked by employees) from employers.

(6) The Commission recently proposed, and has the authority to finalize, a new rule supplementing the information collected through the Employer Information Report EEO–1 to collect pay data from employers in order to obtain insight into pay disparities across industries and occupations and strengthen Federal efforts to combat discrimination.

(7) The data will help employers better understand their pay practices and voluntarily address gender-based pay imbalances, as well as identify pay disparities that may warrant further examination by the Commission.

(b) TRANSFER OF FUNDS FOR INFORMATION COLLECTION.—The Secretary of Commerce shall transfer $1,000,000 of the funds made available by this Act from the appropriations account under the heading ''SALARIES AND EXPENSES'' under the heading ''DEPARTMENTAL MANAGEMENT'' of the Department of Commerce, to the appropriations account under the heading ''SALARIES AND EXPENSES'' of the Commission. Such transferred funds may only be used to finalize and implement the regulation referred to in the notice entitled ''Agency Information Collection Activities: Revision of the Employer Information Report (EEO–1) and Comment Request'', published by the Commission (81 Fed. Reg. 5113 (February 1, 2016)).

SA 4726. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V (before the short title), insert the following:

SEC. ___. COLLECTION OF PAY DATA THROUGH EMPLOYER INFORMATION REPORT EEO–1.

(a) FINDINGS.—Congress finds the following:

(1) The Equal Employment Opportunity Commission (referred to in this section as the ''Commission'') is responsible for enforcing title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), including section 701(k) of that title (commonly known as the ''Pregnancy Discrimination Act'') (42 U.S.C. 2000e(k)), section 6(d) of the Fair Labor Standards Act of 1963 (commonly known as the ''Equal Pay Act of 1963'') (29 U.S.C. 206(d)), title I of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111 et seq.), the Genetic Information Nondiscrimination Act of 2008 (42 U.S.C. 2000ff et seq.), section 504 of the Rehabilitation Act (29 U.S.C. 794), the Age Discrimination in Employment Act of 1967 (29 U.S.C. 621 et seq.), and other Federal civil rights laws that prohibit discrimination in employment.

(2) Employment discrimination can manifest in many ways including firing an employee, paying an employee less, failing to promote an employee, or demoting an employee, because of the employee's race, sex, color, religion, national origin, age, disability, sexual orientation, or gender identity.

(3) Today, on average, women make just 79 cents for every dollar that men make. African-American and Hispanic women are paid just 60 cents and 55 cents, respectively, for every dollar that non-Hispanic White men are paid.

(4) For 50 years, the Commission has collected employment data through the Employer Information Report EEO–1, which provides workforce profiles from private sector employers, categorized by race, ethnicity, sex, and job category.

(5) Pursuant to section 709(c) of the Civil Rights Act of 1964 (42 U.S.C. 2000e–8(c)), the Commission has the authority to collect pay data (including W–2 earnings and hours worked by employees) from employers.

(6) The Commission recently proposed, and has the authority to finalize, a new rule supplementing the information collected through the Employer Information Report EEO–1 to collect pay data from employers in order to obtain insight into pay disparities across industries and occupations and strengthen Federal efforts to combat discrimination.

(7) The data will help employers better understand their pay practices and voluntarily address gender-based pay imbalances, as well as identify pay disparities that may warrant further examination by the Commission.

(b) TRANSFER OF FUNDS FOR INFORMATION COLLECTION.—The Secretary of Commerce shall transfer $1,000,000 of the funds made available by this Act from the appropriations account under the heading ''SALARIES AND EXPENSES'' under the heading ''DEPARTMENTAL MANAGEMENT'' of the Department of Commerce, to the appropriations account under the heading ''SALARIES AND EXPENSES'' of the Commission. Such transferred funds may only be used to finalize and implement the regulation referred to in the notice entitled ''Agency Information Collection Activities: Revision of the Employer Information Report (EEO–1) and Comment Request'', published by the Commission (81 Fed. Reg. 5113 (February 1, 2016)).

SA 4727. Mr. CORNYN (for Mr. GRASSLEY (for himself, Mr. CORNYN, Mr. LEAHY, Mrs. FEINSTEIN, and Mr. LANKFORD)) proposed an amendment to the bill S. 2577, to protect crime victims' rights, to eliminate the substantial backlog of DNA and other forensic evidence samples to improve and expand the forensic science testing capacity of Federal, State, and local crime laboratories, to increase research and development of new testing technologies, to develop new training programs regarding the collection and use of forensic evidence, to provide post-conviction testing of DNA evidence to exonerate the innocent, to support accreditation efforts of forensic science laboratories and medical examiner offices, to address training and equipment needs, to improve the performance of counsel in State capital cases, and for other purposes; as follows:

On page 6, line 2, strike ''Of the amounts'' and insert ''(a) IN GENERAL.—Of the amounts''.

On page 6, between lines 21 and 22, insert the following:

(b) REPORTING.—

(1) REPORT BY GRANT RECIPIENTS.—With respect to amounts made available to the Attorney General for a DNA Analysis and capacity enhancement program and for other local, State, and Federal forensic activities under the heading ''STATE AND LOCAL LAW ENFORCEMENT'' under the heading ''OFFICE OF JUSTICE PROGRAMS'' under the heading ''DEPARTMENT OF JUSTICE'', the Attorney General shall require recipients of the amounts to report on the effectiveness of the activities carried out using the amounts, including any information the Attorney General needs in order to submit the report required under paragraph (2).

(2) REPORT TO CONGRESS.—Not later than 1 month after the last day of each even-numbered fiscal year, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes, for each recipient of amounts described in paragraph (1)—

(A) the amounts distributed to the recipient;

(B) a summary of the purposes for which the amounts were used and an evaluation of the progress of the recipient in achieving those purposes;

(C) a statistical summary of the crime scene samples and arrestee or offender samples submitted to laboratories, the average

time between the submission of a sample to a laboratory and the testing of the sample, and the percentage of the amounts that were paid to private laboratories; and

(D) an evaluation of the effectiveness of the grant amounts in increasing capacity and reducing backlogs.

On page 37, between lines 21 and 22, insert the following:

(10) PREVENTING DUPLICATIVE GRANTS.—

(A) IN GENERAL.—Before the Attorney General awards a grant to an applicant under this Act, the Attorney General shall compare potential grant awards with other grants awarded under this Act to determine whether duplicate grants are awarded for the same purpose.

(B) REPORT.—If the Attorney General awards duplicate grants to the same applicant for the same purpose, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes—

(i) a list of all duplicate grants awarded, including the total dollar amount of any duplicate grants awarded; and

(ii) the reason the Attorney General awarded the duplicate grants.

On page 40, line 25, strike ''sections 3663 and 3663A'' and insert ''each provision of this title and the Controlled Substances Act (21 U.S.C. 801 et seq.) that authorizes restitution''.

On page 41, line 7, strike ''sections 3663 and 3663A'' and insert ''each provision of this title and the Controlled Substances Act (21 U.S.C. 801 et seq.) that authorizes restitution''.

On page 41, line 15, strike ''sections 3663 and 3663A'' and insert ''each provision of this title and the Controlled Substances Act (21 U.S.C. 801 et seq.) that authorizes restitution''.

On page 41, line 22, insert ''or the Controlled Substances Act (21 U.S.C. 801 et seq.)'' after ''this title''.

On page 42, lines 21 and 22, strike ''sections 3663 and 3663A'' and insert ''each provision of this title and the Controlled Substances Act (21 U.S.C. 801 et seq.) that authorizes restitution''.

On page 43, line 3, insert ''the'' before ''date''.

SA 4728. Mr. KIRK submitted an amendment intended to be proposed by him to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

In the matter under the heading ''BUILDINGS AND FACILITIES'' under the heading ''FEDERAL PRISON SYSTEM'' under the heading ''DEPARTMENT OF JUSTICE'' in title II, strike ''and of which'' and insert ''of which $6,000,000 shall be available to test methods and procedures to prevent illegal inmate telecommunications covering all commercial networks through managed access while not interfering with the legitimate use of the spectrum, and of which''.

SA 4729. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REPORT REGARDING THE IMPLEMENTATION OF THE REGIONAL BIOSECURITY PLAN FOR MICRONESIA AND HAWAII.

(a) REQUIREMENT FOR REPORT.—The Secretary of Commerce shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives, at the time the President's budget for fiscal year 2018 is submitted under section 1105(a) of title 31, United States Code, an annual report on the activities carried out by the National Oceanic and Atmospheric Administration to implement the Regional Biosecurity Plan for Micronesia and Hawaii.

(b) CONTENTS.—The report required by subsection (a) shall include—

(1) an update of the activities carried out by the National Oceanic and Atmospheric Administration to implement the Regional Biosecurity Plan for Micronesia and Hawaii in the previous fiscal year;

(2) a description of activities that the Administrator of the National Oceanic and Atmospheric Administration intends to implement to carry out such Plan; and

(3) an estimate of the funds needed to carry out the activities referred to in paragraph (2).

SA 4730. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. Amounts provided by this Act or by any prior appropriations Act that remain available for obligation, for necessary expenses of the programs of the Bureau of Justice Statistics of the Department of Justice, shall be available to make grants to, or enter into cooperative agreements or contracts with, public agencies, institutions of higher education, private organizations, or private individuals to disaggregate local, State and Federal criminal justice statistics to the extent possible by Hispanic origin and the racial group categories in the decennial census. The total amount of grants made under this section in any fiscal year may not be greater than $1,000,000.

SA 4731. Ms. HIRONO submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

After section 113, insert the following:

SEC. 114. The Secretary of Commerce shall use funds made available by this Act to carry out a prize competition as authorized by section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719) to address coral reef health.

SA 4732. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—KEEP OUR COMMUNITIES SAFE ACT OF 2016

SEC. __01. SHORT TITLE.

This title may be cited as the ''Keep Our Communities Safe Act of 2016''.

SEC. __02. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) Constitutional rights should be upheld and protected;

(2) Congress intends to uphold the Constitutional principle of due process; and

(3) due process of the law is a right afforded to everyone in the United States.

SEC. __03. DETENTION OF DANGEROUS ALIENS DURING REMOVAL PROCEEDINGS.

Section 236 of the Immigration and Nationality Act (8 U.S.C. 1226) is amended—

(1) by striking ''Attorney General'' each place such term appears (except in the second place it appears in subsection (a)) and inserting ''Secretary of Homeland Security'';

(2) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting ''the Secretary of Homeland Security or'' before ''the Attorney General—''; and

(B) in paragraph (2)(B), by striking ''conditional parole'' and inserting ''recognizance'';

(3) in subsection (b)—

(A) in the subsection heading, by striking ''PAROLE'' and inserting ''RECOGNIZANCE''; and

(B) by striking ''parole'' and inserting ''recognizance'';

(4) in subsection (c)(1), by striking the undesignated matter following subparagraph (D) and inserting the following:

''any time after the alien is released, without regard to whether an alien is released related to any activity, offense, or conviction described in this paragraph; to whether the alien is released on parole, supervised release, or probation; or to whether the alien may be arrested or imprisoned again for the same offense. If the activity described in this paragraph does not result in the alien being taken into custody by any person other than the Secretary, then when the alien is brought to the attention of the Secretary or when the Secretary determines it is practical to take such alien into custody, the Secretary shall take such alien into custody.'';

(5) in subsection (e), by striking ''Attorney General's'' and inserting ''Secretary of Homeland Security's''; and

(6) by adding at the end the following:

''(f) LENGTH OF DETENTION.—

''(1) Notwithstanding any other provision of this section, an alien may be detained under this section for any period, without limitation, except as provided in subsection (i), until the alien is subject to a final order of removal.

''(2) The length of detention under this section shall not affect a detention under section 241.

''(g) ADMINISTRATIVE REVIEW.—

''(1) LIMITATION.—The Attorney General's review of the Secretary's custody determinations under subsection (a) shall be limited to whether the alien may be detained, released on bond (of at least $1,500 with security approved by the Secretary), or released with no bond. Any review involving an alien described in paragraph (2)(D) shall be limited to a determination of whether the alien is properly included in such category.

''(2) CLASSES OF ALIENS.—The Attorney General shall review the Secretary's custody determinations for the following classes of aliens:

''(A) Aliens in exclusion proceedings.

''(B) Aliens described in sections 212(a)(3) and 237(a)(4).

''(C) Aliens described in subsection (c).

''(D) Aliens in deportation proceedings subject to section 242(a)(2) (as in effect between April 24, 1996, and April 1, 1997).

''(h) RELEASE ON BOND.—

''(1) IN GENERAL.—An alien detained under subsection (a) may seek release on bond. No bond may be granted except to an alien who establishes by clear and convincing evidence that the alien is not a flight risk or a risk to another person or the community.

''(2) CERTAIN ALIENS INELIGIBLE.—No alien detained under subsection (c) may seek release on bond.''.

SEC. _04. ALIENS ORDERED REMOVED.

Section 241(a) of the Immigration and Nationality Act (8 U.S.C. 1231(a)) is amended—

(1) by striking ''Attorney General'' each place it appears, except for the first place it appears in paragraph (4)(B)(i), and inserting ''Secretary of Homeland Security'';

(2) in paragraph (1)—

(A) by amending subparagraphs (B) and (C) to read as follows:

''(B) BEGINNING OF PERIOD.—The removal period begins on the latest of—

''(i) the date on which the order of removal becomes administratively final;

''(ii) the date on which the alien is taken into such custody if the alien is not in the custody of the Secretary on the date on which the order of removal becomes administratively final; and

''(iii) the date on which the alien is taken into the custody of the Secretary after the alien is released from detention or confinement if the alien is detained or confined (except for an immigration process) on the date on which the order of removal becomes administratively final.

''(C) SUSPENSION OF PERIOD.—

''(i) EXTENSION.—The removal period shall be extended beyond a period of 90 days and the Secretary may, in the Secretary's sole discretion, keep the alien in detention during such extended period, if—

''(I) the alien fails or refuses to make all reasonable efforts to comply with the removal order, or to fully cooperate with the Secretary's efforts to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure or conspires or acts to prevent the alien's removal that is subject to an order of removal;

''(II) a court, the Board of Immigration Appeals, or an immigration judge orders a stay of removal of an alien who is subject to an administratively final order of removal;

''(III) the Secretary transfers custody of the alien pursuant to law to another Federal agency or a State or local government agency in connection with the official duties of such agency; or

''(IV) a court or the Board of Immigration Appeals orders a remand to an immigration judge or the Board of Immigration Appeals, during the time period when the case is pending a decision on remand (with the removal period beginning anew on the date that the alien is ordered removed on remand).

''(ii) RENEWAL.—If the removal period has been extended under clause (i), a new removal period shall be deemed to have begun on the date on which—

''(I) the alien makes all reasonable efforts to comply with the removal order, or to fully cooperate with the Secretary's efforts to establish the alien's identity and carry out the removal order;

''(II) the stay of removal is no longer in effect; or

''(III) the alien is returned to the custody of the Secretary.

''(iii) MANDATORY DETENTION FOR CERTAIN ALIENS.—The Secretary shall keep an alien described in subparagraphs (A) through (D) of section 236(c)(1) in detention during the extended period described in clause (i).

''(iv) SOLE FORM OF RELIEF.—An alien may only seek relief from detention under this subparagraph by filing an application for a writ of habeas corpus in accordance with chapter 153 of title 28, United States Code. No alien whose period of detention is extended under this subparagraph shall have the right to seek release on bond.'';

(3) in paragraph (3)—

(A) in the matter preceding subparagraph (A), by inserting ''or is not detained pursuant to paragraph (6)'' after ''the removal period''; and

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

''(D) to obey reasonable restrictions on the alien's conduct or activities that the Secretary prescribes for the alien—

''(i) to prevent the alien from absconding;

''(ii) for the protection of the community; or

''(iii) for other purposes related to the enforcement of Federal immigration laws.'';

(4) in paragraph (4)(A), by striking ''paragraph (2)'' and inserting ''subparagraph (B)''; and

(5) by amending paragraph (6) to read as follows:

''(6) ADDITIONAL RULES FOR DETENTION OR RELEASE OF CERTAIN ALIENS.—

''(A) DETENTION REVIEW PROCESS FOR COOPERATIVE ALIENS ESTABLISHED.—

''(i) IN GENERAL.—The Secretary shall establish an administrative review process to determine whether an alien who is not otherwise subject to mandatory detention, who has made all reasonable efforts to comply with a removal order and to cooperate fully with the Secretary of Homeland Security's efforts to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure, and who has not conspired or acted to prevent removal should be detained or released on conditions.

''(ii) DETERMINATION.—The Secretary shall make a determination whether to release an alien after the removal period in accordance with subparagraph (B), which—

''(I) shall include consideration of any evidence submitted by the alien; and

''(II) may include consideration of any other evidence, including—

''(aa) any information or assistance provided by the Secretary of State or other Federal official; and

''(bb) any other information available to the Secretary of Homeland Security pertaining to the ability to remove the alien.

''(B) AUTHORITY TO DETAIN BEYOND REMOVAL PERIOD.—

''(i) IN GENERAL.—The Secretary of Homeland Security may continue to detain an alien for 90 days beyond the removal period (including any extension of the removal period under paragraph (1)(C)). An alien whose detention is extended under this subparagraph shall not have the right to seek release on bond.

''(ii) SPECIFIC CIRCUMSTANCES.—The Secretary of Homeland Security may continue to detain an alien beyond the 90 days authorized under clause (i)—

''(I) until the alien is removed, if the Secretary determines that there is a significant likelihood that the alien—

''(aa) will be removed in the reasonably foreseeable future;

''(bb) would be removed in the reasonably foreseeable future; or

''(cc) would have been removed if the alien had not—

''(AA) failed or refused to make all reasonable efforts to comply with the removal order;

''(BB) failed or refused to cooperate fully with the Secretary's efforts to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure; or

''(CC) conspired or acted to prevent removal;

''(II) until the alien is removed, if the Secretary of Homeland Security certifies in writing—

''(aa) in consultation with the Secretary of Health and Human Services, that the alien has a highly contagious disease that poses a threat to public safety;

''(bb) after receipt of a written recommendation from the Secretary of State, that release of the alien is likely to have serious adverse foreign policy consequences for the United States;

''(cc) based on information available to the Secretary of Homeland Security (including classified, sensitive, or national security information, and without regard to the grounds upon which the alien was ordered removed), that there is reason to believe that the release of the alien would threaten the national security of the United States; or

''(dd) that the release of the alien will threaten the safety of the community or any person, conditions of release cannot reasonably be expected to ensure the safety of the community or of any person; and

''(AA) the alien has been convicted of 1 or more aggravated felonies (as defined in section 101(a)(43)(A)) or of 1 or more crimes identified by the Secretary of Homeland Security by regulation, or of 1 or more attempts or conspiracies to commit any such aggravated felonies or such identified crimes, if the aggregate term of imprisonment for such attempts or conspiracies is at least 5 years; or

''(BB) the alien has committed 1 or more crimes of violence (as defined in section 16 of title 18, United States Code, but not including a purely political offense) and, because of a mental condition or personality disorder and behavior associated with that condition or disorder, the alien is likely to engage in acts of violence in the future; or

''(III) pending a certification under subclause (II), if the Secretary of Homeland Security has initiated the administrative review process not later than 30 days after the expiration of the removal period (including any extension of the removal period under paragraph (1)(C)).

''(iii) NO RIGHT TO BOND HEARING.—An alien whose detention is extended under this subparagraph shall not have a right to seek release on bond, including by reason of a certification under clause (ii)(II).

''(C) RENEWAL AND DELEGATION OF CERTIFICATION.—

''(i) RENEWAL.—The Secretary of Homeland Security may renew a certification under subparagraph (B)(ii)(II) every 6 months after providing an opportunity for the alien to request reconsideration of the certification and to submit documents or other evidence in support of that request. If the Secretary does not renew a certification, the Secretary may not continue to detain the alien under subparagraph (B)(ii)(II).

''(ii) DELEGATION.—Notwithstanding section 103, the Secretary of Homeland Security may not delegate the authority to make or renew a certification described in item (bb),

(cc), or (dd) of subparagraph (B)(ii)(II) below the level of the Assistant Secretary for Immigration and Customs Enforcement.

''(iii) HEARING.—The Secretary of Homeland Security may request that the Attorney General or the Attorney General's designee provide for a hearing to make the determination described in subparagraph (B)(ii)(II)(dd)(BB).

''(D) RELEASE ON CONDITIONS.—If it is determined that an alien should be released from detention by a Federal court, the Board of Immigration Appeals, or if an immigration judge orders a stay of removal, the Secretary of Homeland Security may impose conditions on release as provided under paragraph (3).

''(E) REDETENTION.—

''(i) IN GENERAL.—The Secretary of Homeland Security, without any limitations other than those specified in this section, may detain any alien subject to a final removal order who is released from custody if—

''(I) removal becomes likely in the reasonably foreseeable future;

''(II) the alien fails to comply with the conditions of release or to continue to satisfy the conditions described in subparagraph (A); or

''(III) upon reconsideration, the Secretary determines that the alien can be detained under subparagraph (B).

''(ii) APPLICABILITY.—This section shall apply to any alien returned to custody pursuant to this subparagraph as if the removal period terminated on the day of the redetention.

''(F) REVIEW OF DETERMINATIONS BY SECRETARY.—A determination by the Secretary under this paragraph shall not be subject to review by any other agency.''.

SEC. __05. SEVERABILITY.

If any of the provisions of this title, any amendment made by this title, or the application of any such provision to any person or circumstance, is held to be invalid for any reason, the remainder of this title, the amendments made by this title, and the application of the provisions and amendments made by this title to any other person or circumstance shall not be affected by such holding.

SEC. __06. EFFECTIVE DATES.

(a) APPREHENSION AND DETENTION OF ALIENS.—The amendments made by section __03 shall take effect on the date of the enactment of this title. Section 236 of the Immigration and Nationality Act, as amended by section __03, shall apply to any alien in detention under the provisions of such section on or after such date of enactment.

(b) ALIENS ORDERED REMOVED.—The amendments made by section __04 shall take effect on the date of the enactment of this title. Section 241 of the Immigration and Nationality Act, as amended by section __04, shall apply to—

(1) all aliens subject to a final administrative removal, deportation, or exclusion order that was issued before, on, or after the date of the enactment of this title; and

(2) acts and conditions occurring or existing before, on, or after such date of enactment.

SA 4733. Mr. CRUZ (for himself, Mr. LEE, Mr. LANKFORD, and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the funds made available by this Act may be used to relinquish the responsibility of the National Telecommunications and Information Administration with respect to Internet domain name system functions, including responsibility with respect to the authoritative root zone file and the Internet Assigned Numbers Authority functions.

SA 4734. Mr. CRUZ (for himself, Mr. LEE, and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the funds made available by this Act may be used to relinquish the responsibility of the National Telecommunications and Information Administration with respect to Internet domain name system functions, including responsibility with respect to the authoritative root zone file and the Internet Assigned Numbers Authority functions unless Congress affirmatively votes to authorize such relinquishment.

SA 4735. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the funds made available by this Act for the establishment and management of national marine sanctuaries may be used to prohibit commercial cargo vessel operations within the boundaries of any national marine sanctuary that preserves shipwrecks or maritime heritage in the Great Lakes, except that vessel anchoring outside of United States Coast Guard approved anchorages may be restricted to preserve historical underwater artifacts within such sanctuary.

SA 4736. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. TAX RETURN IDENTITY THEFT PROTECTION.

(a) SHORT TITLE.—This section may be cited as the ''Tax Return Identity Theft Protection Act of 2016''.

(b) IDENTITY THEFT FOR PURPOSES OF TAX RETURN FRAUD AND OTHER FRAUD AGAINST THE GOVERNMENT.—Section 1028(b)(3) of title 18, United States Code, is amended—

(1) in subparagraph (B), by striking ''or'' at the end; and

(2) by adding at the end the following:

''(D) during and in relation to a felony under section 7206 or 7207 of the Internal Revenue Code of 1986; or

''(E) during and in relation to a violation of section 286, 287, or 641;''.

(c) SENTENCING GUIDELINES ENHANCEMENTS FOR VULNERABLE VICTIMS.—Pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this subsection, the United States Sentencing Commission shall amend and review the Federal sentencing guidelines and policy statements to ensure that the guidelines provide for a penalty enhancement of not less than 2 offense levels for a violation of subsection (a) of section 1028 of title 18, United States Code, if—

(1) the offense is punishable under subparagraph (D) or (E) of subsection (b)(3) of that section, as added by subsection (b) of this section; and

(2) the defendant victimized or targeted not less than 5 individuals who were—

(A) deceased;

(B) over the age of 55;

(C) citizens of territories or possessions of the United States;

(D) under the age of 14;

(E) not required to file a Federal income tax return due to not meeting income criteria levels necessitating filing; or

(F) active duty members of the Armed Forces.

(d) STATE OF MIND PROOF REQUIREMENT FOR IDENTITY THEFT.—Section 1028 of title 18, United States Code, is amended by adding at the end the following:

''(j) STATE OF MIND PROOF REQUIREMENT.—In a prosecution under subsection (a)(7) or section 1028A, the Government shall not be required to prove that the defendant knew the means of identification was of another person.''.

SA 4737. Mr. GRASSLEY (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

After section 217, insert the following:

SEC. 218. (a) PENALTIES FOR MARITIME OFFENSES.—

(1) PENALTIES FOR VIOLENCE AGAINST MARITIME NAVIGATION.—Section 2280a(a)(1) of title 18, United States Code, is amended, in the undesignated matter following subparagraph (E), by inserting ''punished by death or'' before ''imprisoned for any term''.

(2) PENALTIES FOR OFFENSES AGAINST MARITIME FIXED PLATFORMS.—Section 2281a(a)(1) of such title is amended, in the undesignated matter following subparagraph (C), by inserting ''punished by death or'' before ''imprisoned for any term''.

(b) PENALTIES FOR ACTS OF NUCLEAR TERRORISM.—Section 2332i(c) of title 18, United States Code, is amended to read as follows:

''(c) PENALTIES.—Any person who violates this section shall be punished as provided under section 2332a(a).''.

(c) PROVIDING MATERIAL SUPPORT TO TERRORISTS PREDICATES.—

(1) MARITIME OFFENSES.—Section 2339A(a) of title 18, United States Code, is amended—

(A) by inserting ''2280a,'' after ''2280,''; and

(B) by inserting ''2281a,'' after ''2281,''.

(2) ACTS OF NUCLEAR TERRORISM.—Section 2339A(a) of such title, as amended by subsection (a), is further amended by inserting ''2332i,'' after ''2332f,''.

(d) WIRETAP AUTHORIZATION PREDICATES.—

(1) MARITIME OFFENSES.—Section 2516(1) of title 18, United States Code, is amended—

(A) in paragraph (p), by striking ''or'' at the end; and

(B) in paragraph (q), by inserting '', section 2280, 2280a, 2281, or 2281a (relating to maritime safety),'' after ''weapons)''.

(2) ACTS OF NUCLEAR TERRORISM.—Section 2516(1)(q) of such title, as amended by subsection (a)(2), is further amended by inserting '', 2332i,'' after ''2332h''.

SA 4738. Mr. LANKFORD (for himself, Mr. CORNYN, Mr. LEE, Mr. HATCH, Mr. CRUZ, Mr. INHOFE, and Mr. JOHNSON) submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 539. None of the funds made available by this Act may be used to enter into a civil settlement agreement on behalf of the United States that includes a term requiring that any donation be made to any nonparty by any party-defendant to such agreement.

SA 4739. Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 90, line 18, strike ''fiscal year'' and all that follows through ''*Provided*, That'' on line 20 and insert ''fiscal year shall remain in the Fund and be available for obligation and expenditure for grants under such Act without fiscal year limitation: *Provided*, That, for fiscal year 2017, and each fiscal year thereafter, the greater of $2,957,000,000 or the 3-year average of deposits into the Fund, shall be available for obligation during such fiscal year: *Provided further*, That''.

SA 4740. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. FIGHTING TERRORISM AND UPHOLDING DUE PROCESS.

(a) SHORT TITLE.—This section may be cited as the ''Fighting Terrorism and Upholding Due Process Act''.

(b) PREVENTING THE TRANSFER OF A FIREARM AND THE ISSUANCE OR MAINTENANCE OF A FIREARMS OR EXPLOSIVES LICENSE OR PERMIT TO DANGEROUS TERRORISTS.—Chapter 44 of title 18, United States Code, is amended by inserting after section 922 the following:

''922A. Attorney general's discretion to prohibit transfer of a firearm and deny or revoke a license or permit

''(a) DEFINITIONS.—In this section—

''(1) the term 'Foreign Intelligence Surveillance Court' has the meaning given the term in section 701 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881);

''(2) the term 'material support or resources' shall include all actions prohibited by section 2339A;

''(3) the term 'terrorism' shall include 'international terrorism' and 'domestic terrorism', as defined in section 2331; and

''(4) the term 'Terrorism Firearm Screening List' means the list developed by the Attorney General under subsection (b)(4).

''(b) DEVELOPMENT OF TERRORISM FIREARM SCREENING LIST.—

''(1) IN GENERAL.—The Attorney General may develop a list of persons for whom the Attorney General determines, for each person, that—

''(A) there is probable cause to believe the person is or has been engaged in conduct constituting, in preparation for, in aid of, or in support of terrorism, or providing material support or resources for terrorism; and

''(B) there is reason to believe the person may use a firearm in connection with terrorism.

''(2) REQUIREMENT.—The Attorney General shall submit to the Foreign Intelligence Surveillance Court—

''(A) the list of persons developed under paragraph (1); and

''(B) the information and documents, in unredacted form, supporting the Attorney General's determinations as to which persons are included on the list.

''(3) DETERMINATION.—Using the list, information, and documents submitted under paragraph (2), the Foreign Intelligence Surveillance Court shall determine, for each person on the list, whether—

''(A) there is probable cause to believe the person is or has been engaged in conduct constituting, in preparation for, in aid of, or in support of terrorism, or providing material support or resources for terrorism; and

''(B) there is reason to believe the person may use a firearm in connection with terrorism.

''(4) CONSOLIDATED LIST.—The Attorney General shall establish a list of persons whom the Foreign Intelligence Surveillance Court determines meet the criteria described in paragraph (3), to be known as the 'Terrorism Firearm Screening List'.

''(c) PERIODIC UPDATING AND REVIEW OF TERRORISM FIREARM SCREENING LIST.—

''(1) UPDATES TO THE LIST.—The Attorney General may, after the development of the Terrorism Firearm Screening List, add additional persons to the Terrorism Firearm Screening List by following the procedures set forth in subsection (b) for each person to be added.

''(2) PERIODIC JUDICIAL REVIEW.—

''(A) IN GENERAL.—Not later than 1 year after the date of enactment of this section, and once every year thereafter, the Attorney General shall submit to the Foreign Intelligence Surveillance Court the Terrorism Firearm Screening List.

''(B) REVIEW.—The Foreign Intelligence Surveillance Court shall review the Terrorism Firearm Screening List submitted under subparagraph (A) to determine whether any person on the list should be removed by reason of no longer satisfying the requirements described in subsection (b)(3).

''(C) PRODUCTION OF INFORMATION.—Upon request of the Foreign Intelligence Surveillance Court, the Attorney General shall provide to the Court any information the Court determines necessary to conduct the review required under subparagraph (B).

''(D) REMOVAL OF NAMES.—In conducting a review under subparagraph (B), if the Foreign Intelligence Surveillance Court determines that a person should be removed from the Terrorism Firearm Screening List because the person no longer satisfies the requirements described in subsection (b)(3), the Attorney General shall remove such person from the Terrorism Firearm Screening List.

''(d) AUTHORITY TO PROHIBIT FIREARM TRANSFERS AND TO DENY OR REVOKE LICENSES AND PERMITS.—In accordance with subsection (e), the Attorney General may prohibit a person who is listed on the Terrorism Firearm Screening List in accordance with subsections (b) and (c), or for whom there is probable cause to believe the person is or has been engaged in conduct constituting, in preparation for, in aid of, or in support of terrorism, or providing material support or resources for terrorism, and there is reason to believe the person may use a firearm in connection with terrorism, from—

''(1) participating in the transfer of a firearm under section 922;

''(2) receiving or maintaining a firearms license under section 923; and

''(3) receiving or maintaining a license or permit for explosive materials under section 843.

''(e) PROCEDURE FOR PROHIBITING FIREARM TRANSFER OR DENYING OR REVOKING A LICENSE OR PERMIT.—

''(1) PROCEDURE WITH REGARD TO PERSONS INCLUDED ON THE TERRORISM FIREARM SCREENING LIST.—If the Attorney General prohibits the transfer of a firearm or denies or revokes a license or permit for firearms or explosive materials under subsection (d) for a person who is listed on the Terrorism Firearm Screening List—

''(A) the Attorney General shall—

''(i) not later than 7 days after the prohibition, denial, or revocation, file a petition to sustain the prohibition, denial, or revocation in the district court of the United States for the district in which—

''(I) the firearm transfer was attempted;

''(II) the licensee or permit holder is located; or

''(III) the applicant for a license or permit is located;

''(ii) submit to the district court of the United States in which the petition described in clause (i) is filed, the evidence the Attorney General relied upon in determining that the person should be added to Terrorism Firearm Screening List and any exculpatory evidence that the Attorney General possesses or has access to;

''(B) the person to whom the prohibition, denial, or revocation applies, shall be entitled to—

''(i) a hearing at which the person may be represented by counsel and a final judgment by the district court of the United States not later than 60 days after the date on which the attempted transfer of a firearm occurred or the Attorney General denied or revoked a license or permit for firearms or explosive materials; and

''(ii) in the case of an appeal of the decision of the district court of the United States, a decision by the reviewing court not later than 90 days after the date on which the district court of the United States issues the decision; and

''(C) the district court of the United States in which the petition described in clause (i) is filed—

''(i) shall allow the Attorney General, for information the United States has determined would likely compromise national security, to submit summaries and redacted versions of documents;

''(ii) shall review any summaries and redacted versions of documents to ensure that the person to whom the prohibition, denial,

or revocation applies is receiving fair and accurate representations of the underlying information and documents;

''(iii) shall ensure that any summaries and redacted versions of documents accepted into evidence are fair and accurate representations of the underlying information and documents;

''(iv) shall provide copies of any summaries and redacted versions of documents to the person to whom the prohibition, denial, or revocation applies; and

''(v) shall not consider the full, undisclosed information or documents in deciding whether to sustain the Attorney General's decision to include the person on the Terrorism Firearm Screening List; and

''(vi) shall issue an order that the Attorney General's action prohibiting the transfer of a firearm or denying or revoking a license or permit for a firearm or explosive material was not authorized unless the Attorney General demonstrates—

''(I) there is probable cause to believe the person is or has been engaged in conduct constituting, in preparation for, in aid of, or in support of terrorism, or providing material support or resources for terrorism; and

''(II) there is reason to believe the person may use a firearm in connection with terrorism.

''(D) RELIEF.—If a person who was subject to a prohibition, denial, or revocation described in this paragraph prevails in a proceeding under this paragraph, including on appeal, the person shall be entitled to all costs, including reasonable attorney's fees, and the Attorney General shall immediately remove the individual from the Terrorism Firearm Screening List.

''(2) PROCEDURE WITH REGARD TO PERSONS NOT ON THE TERRORISM FIREARM SCREENING LIST.—If the Attorney General prohibits the transfer of a firearm or revocation of a license or permit for firearms or explosive materials under subsection (d) for a person who is not listed on the Terrorism Firearm Screening List, the following procedures shall apply:

''(A) TEMPORARY EX PARTE ORDER PROHIBITING TRANSFER OR SUSTAINING REVOCATION.—

''(i) IN GENERAL.—The Attorney General—

''(I) may deny the firearm transfer or revoke the license or permit for the period described in section 922(t)(1)(B)(ii);

''(II) shall file an emergency petition to temporarily prohibit the attempted transfer or sustain the revocation of a license or permit for 7 additional days, with such petition being filed with the Foreign Intelligence Surveillance Court or a Federal district court (provided that if the Attorney General files with a Federal district court, the Attorney General can and will comply with all the requirements of this paragraph, including the requirement to submit to the court the information and documents, in unredacted form, that support the Attorney General's petition);

''(III) as part of the petition described in subclause (II), shall submit to the court the information and documents, in unredacted form, that support the Attorney General's petition.

''(ii) COURT REQUIREMENTS.—The court shall deny an emergency petition filed by the Attorney General under clause (i) unless the Attorney General demonstrates—

''(I) there is probable cause to believe the person is or has been engaged in conduct constituting, in preparation for, in aid of, or in support of terrorism, or providing material support or resources for terrorism; and

''(II) there is reason to believe such person may use a firearm in connection with terrorism.

''(iii) TRANSFER ALLOWED.—If an order is not issued under this paragraph within the period described in section 922(t)(1)(B)(ii), the firearm transfer may proceed or the revocation of the license or permit shall be cancelled.

''(B) ADVERSARIAL COURT PROCEEDING TO OBTAIN A FINAL ORDER PROHIBITING TRANSFER OF A FIREARM OR REVOKING A LICENSE OR PERMIT.—

''(i) IN GENERAL.—If the Attorney General wishes to extend an order that is issued under subparagraph (A)(ii)(II)—

''(I) the Attorney General shall—

''(aa) within 7 days after the order was granted under subparagraph (A)(ii)(II), file a petition for a final order prohibiting the transfer of a firearm or sustaining the revocation of a license or permit, with such petition being filed in the district court of the United States in which the firearm transfer was attempted or the licensee or permit holder is located;

''(bb) submit to the district court of the United States in which the petition described in item (aa) is filed, the evidence supporting the Attorney General's petition and any exculpatory evidence that the Attorney General possesses or has access to;

''(II) the person whose attempted firearm transfer was blocked shall be entitled to—

''(aa) a hearing at which the person may be represented by counsel and a final judgment by the district court of the United States not later than 60 days after the date on which the attempted transfer of a firearm occurred or Attorney General revoked a license or permit for firearms or explosive materials; and

''(bb) in the case of an appeal of the decision of the district court of the United States, a decision by the reviewing court not later than 90 days after the date on which the district court of the United States issues the decision; and

''(III) the district court of the United States in which the petition described in subclause (I) was filed—

''(aa) shall allow the Attorney General, for information the United States has determined would likely compromise national security, to submit summaries and redacted versions of documents

''(bb) shall review any summaries and redacted versions of documents to ensure that the person to whom the prohibition or revocation applies is receiving fair and accurate representations of the underlying information and documents;

''(cc) shall ensure that any summaries and redacted versions of documents accepted into evidence are fair and accurate representations of the underlying information and documents;

''(dd) shall provide copies of any summaries and redacted versions of documents to the person to whom the prohibition or revocation applies; and

''(ee) shall not consider the full, undisclosed information or documents in deciding whether to sustain the Attorney General's prohibition or revocation; and

''(ff) shall issue an order rejecting the Attorney General's petition unless the Attorney General demonstrates there is probable cause to believe the person is or has been engaged in conduct constituting, in preparation for, in aid of, or in support of terrorism, or providing material support or resources for terrorism, and there is reason to believe such person may use a firearm in connection with terrorism.

''(ii) EFFECT.—The temporary, ex parte order issued under paragraph (A) shall remain in effect until the proceeding under this paragraph is resolved.

''(iii) RELIEF.—If a person who was prohibited from participating in the transfer of a firearm or had a license or permit for firearms or explosive materials revoked prevails in a proceeding under clause (i), including on appeal, the person shall be entitled to all costs, including reasonable attorney's fees, and the Attorney General shall immediately remove the individual from the Terrorism Firearm Screening List.

''(iv) ADDITION TO TERRORISM FIREARM SCREENING LIST.—If the Attorney General prevails in a proceeding under clause (i), including on appeal, the Attorney General may add the person to the Terrorism Firearm Screening List.''.

(c) TRANSPARENCY.—Not later than 60 days after the date of the enactment of this Act, and quarterly thereafter, the Attorney General shall submit to the Committee on the Judiciary and the Select Committee on Intelligence of the Senate and the Committee on the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives a report providing the following information:

(1) The number of persons added to the Terrorism Firearm Screening List established under section 922A of title 18, United States Code, as added by this Act, during the reporting period.

(2) The number of persons whose names the Attorney General submitted to the Foreign Intelligence Surveillance Court pursuant to section 922A(b)(2) of title 18, United States Code, as added by this Act, during the reporting period.

(3) The number of persons described in paragraph (2) whom the Foreign Intelligence Surveillance Court determined, pursuant to section 922A(b)(2) of title 18, United States Code, as added by this Act, that there was not—

(A) probable cause to believe the person is or has been engaged in conduct constituting, in preparation for, in aid of, or in support of terrorism, or providing material support or resources for terrorism; or

(B) reason to believe the person may use a firearm in connection with terrorism.

(d) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF SECTIONS.—The table of sections for chapter 44 of title 18, United States Code, is amended by inserting after the item relating to section 922 the following:

''922A. Attorney general's discretion to prohibit transfer of a firearm and deny or revoke a license or permit.''.

(2) TECHNICAL AMENDMENTS.—Section 922(t) of title 18, United States Code, is amended—

(A) in paragraph (1)(B), by striking clause (ii) and inserting the following:

''(ii) 3 business days (meaning a day on which State offices are open) have elapsed since the licensee contacted the system; and

''(iii) the system has not notified the licensee that—

''(I) the receipt of a firearm by such other person would violate subsection (g) or (n) of this section or State law; or

''(II) that the transfer has been prohibited pursuant to section 922A of this title;'';

(B) in paragraph (2), in the matter preceding subparagraph (A), by inserting '', and the transfer has not been prohibited pursuant to section 922A of this title'' after ''or State law'';

(C) in paragraph (3)—

(i) in subparagraph (A)(i)—

(I) in subclause (I), by striking ''and'' at the end; and

(II) by adding at the end the following:

''(III) was issued after a check of the system established pursuant to paragraph (1);''; and

(ii) in subparagraph (C)—

(I) in clause (ii), by striking ''and'' at the end;

(II) in clause (iii), by striking the period and inserting ''; and''; and

(III) by adding at the end the following:

''(iv) the State issuing the permit agrees to deny the permit application if the applicant is included on the Terrorism Firearm Screening List established by section 922A of this title or to revoke the permit if a court order is entered pursuant to section 922A(e) of this title.'';

(D) in paragraph (4), by inserting '', or that the person is prohibited from participating in a firearm transfer pursuant to section 922A of this title'' after ''or State law''; and

(E) in paragraph (5), by inserting '', or that the person is prohibited from participating in a firearm transfer pursuant to section 922A of this title'' after ''or State law''.

(3) UNLAWFUL SALE OR DISPOSITION OF FIREARM BASED UPON ATTORNEY GENERAL DISCRETIONARY DENIAL.—Section 922(d) of title 18, United States Code, is amended—

(A) in paragraph (8), by striking ''or'' at the end;

(B) in paragraph (9), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(10) is prohibited from participating in a firearm transfer pursuant to section 922A of this title.''.

(4) ATTORNEY GENERAL DISCRETIONARY DENIAL AS PROHIBITOR.—Section 922(g) of title 18, United States Code, is amended—

(A) in paragraph (8), by striking ''or'' at the end;

(B) in paragraph (9), by striking the comma at the end and inserting ''; or''; and

(C) by inserting after paragraph (9) the following:

''(10) who has received actual notice of an order entered by a court pursuant to section 922A(e) of this title,''.

(5) ATTORNEY GENERAL DISCRETIONARY DENIAL OF FEDERAL FIREARMS LICENSES.—Section 923(d) of title 18, United States Code, is amended in paragraph (1)—

(A) in subparagraph (F), by striking ''and'' at the end of clause (iii);

(B) in subparagraph (G), by striking ''device).'' and inserting ''device); and''; and

(C) by adding at the end the following:

''(H) the applicant is not on the Terrorism Firearm Screening List established by section 922A of this title or subject to an order entered by a court pursuant to section 922A(e) of this title.''.

(6) DISCRETIONARY REVOCATION OF FEDERAL FIREARMS LICENSES.—Section 923(e) of title 18, United States Code, is amended—

(A) by inserting ''(1)'' after ''(e)'';

(B) by striking ''revoke any license'' and inserting: ''revoke—

''(A) any license;'';

(C) by striking ''. The Attorney General may, after notice and opportunity for hearing, revoke the license'' and inserting the following:

''(B) the license; and'';

(D) by striking ''. The Secretary's action'' and inserting: ''; or

''(C) any license issued under this section if the Attorney General determines that the holder of such license (including any responsible person) is on the Terrorism Firearm Screening List established by section 922A of this title.

''(2) The Attorney General's action''.

(7) PROVISION OF GROUNDS UNDERLYING INELIGIBILITY DETERMINATION BY THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.—Section 103 of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note) is amended—

(A) in subsection (f), by striking ''date of the request'' and inserting ''date of the request, provided that if the individual is ineligible by virtue of being included on the Terrorism Firearm Screening List established under section 922A of title 18, United States Code or being subject to a court order under section 922A(e) of title 18, United States Code, the system shall state only that the individual is barred by section 922A of title 18, United States Code.''; and

(B) in subsection (g), in the first sentence, by inserting ''or that the individual is prohibited from engaging in a firearm transfer pursuant to section 922A of title 18, United States Code,'' after ''or State law,''.

(8) UNLAWFUL DISTRIBUTION OF EXPLOSIVES BASED UPON ATTORNEY GENERAL DISCRETIONARY DENIAL.—Section 842(d) of title 18, United States Code, is amended—

(A) in paragraph (9), by striking the period and inserting ''; or''; and

(B) by adding at the end the following:

''(10) who has received actual notice of an order entered by a court pursuant to section 922A(e) of this title.''.

(9) ATTORNEY GENERAL DISCRETIONARY DENIAL AS PROHIBITOR.—Section 842(i) of title 18, United States Code, is amended—

(A) in paragraph (7), by inserting ''; or'' at the end; and

(B) by inserting after paragraph (7) the following:

''(8) who has received actual notice of an order entered by a court pursuant to section 922A(e) of this title,''.

(10) ATTORNEY GENERAL DISCRETIONARY DENIAL OF FEDERAL EXPLOSIVES LICENSES AND PERMITS.—Section 843(b) of title 18, United States Code, is amended—

(A) in paragraph (6) by striking ''and'';

(B) in paragraph (7) by striking ''valid.'' And inserting ''valid; and''

(C) by adding at the end the following:

''(8) the applicant is not disqualified pursuant to section 922A of this title.''.

(11) ATTORNEY GENERAL DISCRETIONARY REVOCATION OF FEDERAL EXPLOSIVES LICENSES AND PERMITS.—Section 843(d) of title 18, United States Code, is amended by inserting after ''is included on the Terrorism Firearm Screening List established by section 922A of this title or subject to an order entered by a district court of the United States pursuant to section 922A(e) of this title,'' after ''this chapter,''.

(12) ATTORNEY GENERAL'S ABILITY TO WITHHOLD INFORMATION IN EXPLOSIVES LICENSE AND PERMIT DENIAL AND REVOCATION SUITS.—Section 843(e) of title 18, United States Code, is amended in paragraph (1), by inserting after the first sentence the following: ''However, if the denial or revocation is based upon the person being disqualified pursuant to section 922A of this title any information which the Attorney General relied on for adding the person to the Terrorism Firearm Screening List established by section 922A of this title or obtaining a court order under section 922A(e) of this title, this determination may be withheld from the petitioner if the Attorney General determines that disclosure of the information would likely compromise national security.''.

(13) ABILITY TO WITHHOLD INFORMATION IN COMMUNICATIONS TO EMPLOYERS.—Section 843(h)(2) of title 18, United States Code, is amended—

(A) in subparagraph (A), by inserting ''or in subsection (j) of this section (on grounds of terrorism)'' after ''section 842(i)''; and

(B) in subparagraph (B)—

(i) in the matter preceding clause (i), by inserting ''or in subsection (j) of this section,'' after ''section 842(i),''; and

(ii) in clause (ii), by inserting '', except that any information that the Attorney General relied on for adding the person to the Terrorism Firearm Screening List established by section 922A of this title or obtaining a court order under section 922A(e) of this title may be withheld if the Attorney General concludes that disclosure of the information would likely compromise national security'' after ''determination''.

SA 4741. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the funds made available in this Act may be used by an agency of the Government of the United States to establish or implement a policy that discourages or prohibits the selection of a location for travel, an event, a meeting, or a conference because the location is perceived to be a resort or vacation destination.

SA 4742. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V, insert the following:

SEC. 5____. Hereafter, the Attorney General shall establish a process by which—

(1) the Attorney General and Federal, State, and local law enforcement are immediately notified, as appropriate, of any request to transfer a firearm or explosive to a person who is, or within the previous 5 years was, investigated as a known or suspected terrorist;

(2) the Attorney General may delay the transfer of the firearm or explosive for a period not to exceed 3 business days and file an emergency petition in a court of competent jurisdiction to prevent the transfer of the firearm or explosive, and such emergency petition and subsequent hearing shall receive the highest possible priority on the docket of the court of competent jurisdiction and be subject to the Classified Information Procedures Act (18 U.S.C. App.);

(3) the transferee receives actual notice of the hearing and is provided with an opportunity to participate with counsel and the emergency petition shall be granted if the court finds that there is probable cause to believe that the transferee has committed, conspired to commit, attempted to commit, or will commit an act of terrorism, and if the petition is denied, the Government shall be responsible for all reasonable costs and attorneys' fees;

(4) the Attorney General may arrest and detain the transferee for whom an emergency petition has been filed where probable cause exists to believe that the individual has committed, conspired to commit, or attempted to commit an act of terrorism; and

(5) the Director of the Federal Bureau of Investigation annually reviews and certifies the identities of known or suspected terrorists under this section and the appropriateness of such designation.

SA 4743. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce

and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. Pretrial services programs receiving funds through the Edward Byrne Memorial Justice Assistance Grant program under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.) or any other Department of Justice grant program shall report annually—

(1) the names of all persons participating in pretrial release programs administered by the pretrial services program;

(2) whether those persons appeared for trial and other post-release court dates;

(3) any previous arrests of program participants; and

(4) any previous failures by program participants to appear for trial or other post-release court dates.

SA 4744. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V, insert the following:

SEC. 5____. (a) None of the funds appropriated or otherwise made available under this Act may be used by the Commissioner of the Social Security Administration to make, or to report to the National Instant Criminal Background Check System, a determination that an individual has been adjudicated as a mental defective for purposes of subsections (d)(4) and (g)(4) of section 922 of title 18, United States Code.

(b) None of the funds appropriated or otherwise made available under this Act may be used by the National Instant Criminal Background Check System to receive information from the Commissioner of the Social Security Administration regarding a determination described in subsection (a).

SA 4745. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. No funds made available by this Act may be used to prosecute crimes that do not require any proof of criminal intent unless it is clear from the text of the statute or regulation defining the crime that proof of criminal intent is not required.

SA 4746. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) It is the sense of Congress that when a statute or regulation defining a criminal offense fails to specify the state of mind required for conviction, a court should read a default standard of willfulness into the statute or regulation unless it is clear from the text of the statute or regulation that Congress or the agency affirmatively intended not to require the Government to prove any state of mind.

(b) In this section, the term ''willfulness'' means acting with knowledge that one's conduct is unlawful.

SA 4747. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. SENSE OF CONGRESS WITH RESPECT TO INTERNATIONAL DATA PRIVACY.

(a) FINDINGS.—Congress finds the following:

(1) When the Electronic Communications Privacy Act (Public Law 99–508; 100 Stat. 1848) (in this section referred to as ''ECPA'') was enacted in 1986, no one could have envisioned the globalization of the Internet and electronic communications.

(2) Today, multinational companies serve their customers around the world by storing and transferring data through a complex network of global data centers.

(3) Because ECPA never contemplated the global networks that technology companies operate today, ECPA presents unique challenges for a number of industries that increasingly face a conflict between Federal law in the United States and the laws of other countries. For example, when a technology company receives a demand from a Federal law enforcement agency to turn over data on behalf of foreign customers, that company is forced to make a difficult decision: either comply with the demand and satisfy Federal law or risk violating the privacy laws of the host country. The same is true in reverse because when foreign governments compel global providers to disclose information, even information about the citizens of those governments, Federal law in the United States sometimes prohibits the providers from complying.

(4) Modernizing ECPA to better reflect the truly global nature of global technology will—

(A) better serve the interests of law enforcement, both in the United States and abroad;

(B) protect individual privacy; and

(C) promote innovation and the free flow of information.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Federal Government—

(1) must safeguard data throughout the world from unauthorized access by law enforcement agencies; and

(2) should—

(A) require law enforcement agencies in the United States to obtain a warrant for all electronic content;

(B) create a clear international legal framework that provides law enforcement agencies with an efficient process to obtain information while—

(i) protecting the privacy of all individuals; and

(ii) respecting the laws of other countries; and

(C) strengthen the Mutual Legal Assistance Treaty process by providing greater efficiency, accessibility, transparency, and accountability.

SA 4748. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. SENSE OF CONGRESS WITH RESPECT TO WILLFUL INFRINGEMENT IN PATENT CASES.

(a) FINDINGS.—Congress finds the following:

(1) On June 13, 2016, the Supreme Court of the United States held in Halo Electronics, Inc. v. Pulse Electronics, Inc. (in this section referred to as ''Halo''), that the 2-part test for awarding enhanced damages under section 284 of title 35, United States Code, as articulated in In re Seagate Technology, LLC, 497 F.3d 1360 (Fed. Cir. 2007) (en banc) (in this section referred to as ''Seagate''), was inconsistent with the intent of that section.

(2) In 2011, when Congress enacted Public Law 112–29, the standard articulated by the Federal Circuit for willful infringement under Seagate was the established judicial interpretation of section 284 of title 35, United States Code, with respect to awarding enhanced damages in a patent case. The legislative history of section 284 after Seagate was decided shows that Congress was well aware of the Seagate standard and explored the impact of Seagate on the issue of enhanced damages.

(3) Ultimately, Congress did not substantively amend section 284 of title 35, United States Code, knowing that no action from Congress would be required to ensure that the standard established in Seagate would remain in place and continue to govern the enhancement analysis under that section.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Seagate standard has governed and continues to govern the enhanced damages analysis under section 284 of title 35, United States Code; and

(2) this intent of Congress should be considered in any decisions interpreting that section.

SA 4749. Mr. MCCONNELL (for Mr. CORNYN) proposed an amendment to amendment SA 4720 proposed by Mrs. FEINSTEIN (for herself, Mr. LEAHY, Mr. NELSON, Mr. REID, Mr. DURBIN, Mr. SCHUMER, Ms. MIKULSKI, Mrs. BOXER, Mr. UDALL, Mr. CARPER, Mr. MARKEY, Mr. MENENDEZ, Mr. COONS, Mr. BLUMENTHAL, Mrs. MURRAY, Mr. BROWN, Mr. SCHATZ, Ms. KLOBUCHAR, Mr. MURPHY, Mrs. MCCASKILL, Mr. HEINRICH, Mr. FRANKEN, Mr. BOOKER, and Mr. KAINE) to the amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R.

2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the end add the following:

SEC. 5____. Hereafter, the Attorney General shall establish a process by which—

(1) the Attorney General and Federal, State, and local law enforcement are immediately notified, as appropriate, of any request to transfer a firearm or explosive to a person who is, or within the previous 5 years was, investigated as a known or suspected terrorist;

(2) the Attorney General may delay the transfer of the firearm or explosive for a period not to exceed 3 business days and file an emergency petition in a court of competent jurisdiction to prevent the transfer of the firearm or explosive, and such emergency petition and subsequent hearing shall receive the highest possible priority on the docket of the court of competent jurisdiction and be subject to the Classified Information Procedures Act (18 U.S.C. App.);

(3) the transferee receives actual notice of the hearing and is provided with an opportunity to participate with counsel and the emergency petition shall be granted if the court finds that there is probable cause to believe that the transferee has committed, conspired to commit, attempted to commit, or will commit an act of terrorism, and if the petition is denied, the Government shall be responsible for all reasonable costs and attorneys' fees;

(4) the Attorney General may arrest and detain the transferee for whom an emergency petition has been filed where probable cause exists to believe that the individual has committed, conspired to commit, or attempted to commit an act of terrorism; and

(5) the Director of the Federal Bureau of Investigation annually reviews and certifies the identities of known or suspected terrorists under this section and the appropriateness of such designation.

SA 4750. Mr. MCCONNELL (for Mr. MURPHY (for himself, Mr. BOOKER, Mr. BLUMENTHAL, Mr. SCHUMER, and Mr. CARDIN)) proposed an amendment to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the appropriate place, insert the following:

TITLE VI—FIXING GUN CHECKS

SEC. 601. SHORT TITLE.

This title may be cited as the ''Fix Gun Checks Act of 2016''.

Subtitle A—Ensuring That All Individuals Who Should Be Prohibited From Buying a Gun Are Listed in the National Instant Criminal Background Check System

SEC. 611. PENALTIES FOR STATES THAT DO NOT MAKE DATA ELECTRONICALLY AVAILABLE TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.

Section 102(b) of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended to read as follows:

''(b) IMPLEMENTATION PLAN.—

''(1) IN GENERAL.—Within 1 year after the date of the enactment of this subsection, the Attorney General, in coordination with the States, shall establish, for each State or Indian tribal government, a plan to ensure maximum coordination and automation of the reporting of records or making of records available to the National Instant Criminal Background Check System established under section 103 of the Brady Handgun Violence Prevention Act, during a 4-year period specified in the plan.

''(2) BENCHMARK REQUIREMENTS.—Each such plan shall include annual benchmarks, including qualitative goals and quantitative measures, to enable the Attorney General to assess implementation of the plan.

''(3) PENALTIES FOR NONCOMPLIANCE.—

''(A) IN GENERAL.—During the 4-year period covered by such a plan, the Attorney General shall withhold the following percentage of the amount that would otherwise be allocated to a State under section 505 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) if the State does not meet the benchmark established under paragraph (2) for the following year in the period:

''(i) 10 percent, in the case of the 1st year in the period.

''(ii) 11 percent, in the case of the 2nd year in the period.

''(iii) 13 percent, in the case of the 3rd year in the period.

''(iv) 15 percent, in the case of the 4th year in the period.

''(B) FAILURE TO ESTABLISH A PLAN.—A State with respect to which a plan is not established under paragraph (1) shall be treated as having not met any benchmark established under paragraph (2).''.

SEC. 612. REQUIREMENT THAT FEDERAL AGENCIES CERTIFY THAT THEY HAVE SUBMITTED TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM ALL RECORDS IDENTIFYING PERSONS PROHIBITED FROM PURCHASING FIREARMS UNDER FEDERAL LAW.

Section 103(e)(1) of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note) is amended by adding at the end the following:

''(F) SEMIANNUAL CERTIFICATION AND REPORTING.—

''(i) IN GENERAL.—The head of each Federal department or agency shall submit to the Attorney General a written certification indicating whether the department or agency has provided to the Attorney General the pertinent information contained in any record of any person that the department or agency was in possession of during the time period addressed by the certification demonstrating that the person falls within a category described in subsection (g) or (n) of section 922 of title 18, United States Code.

''(ii) SUBMISSION DATES.—The head of a Federal department or agency shall submit a certification under clause (i)—

''(I) not later than July 31 of each year, which shall address any record the department or agency was in possession of during the period beginning on January 1 of the year and ending on June 30 of the year; and

''(II) not later than January 31 of each year, which shall address any record the department or agency was in possession of during the period beginning on July 1 of the previous year and ending on December 31 of the previous year.

''(iii) CONTENTS.—A certification required under clause (i) shall state, for the applicable period—

''(I) the number of records of the Federal department or agency demonstrating that a person fell within each of the categories described in section 922(g) of title 18, United States Code;

''(II) the number of records of the Federal department or agency demonstrating that a person fell within the category described in section 922(n) of title 18, United States Code; and

''(III) for each category of records described in subclauses (I) and (II), the total number of records of the Federal department or agency that have been provided to the Attorney General.''.

SEC. 613. ADJUDICATED AS A MENTAL DEFECTIVE.

(a) IN GENERAL.—Section 921(a) of title 18, United States Code, is amended by adding at the end the following:

''(36) The term 'adjudicated as a mental defective' shall—

''(A) have the meaning given the term in section 478.11 of title 27, Code of Federal Regulations, or any successor thereto; and

''(B) include an order by a court, board, commission, or other lawful authority that a person, in response to mental illness, incompetency, or marked subnormal intelligence, be compelled to receive services—

''(i) including counseling, medication, or testing to determine compliance with prescribed medications; and

''(ii) not including testing for use of alcohol or for abuse of any controlled substance or other drug.

''(37) The term 'committed to a mental institution' shall have the meaning given the term in section 478.11 of title 27, Code of Federal Regulations, or any successor thereto.''.

(b) LIMITATION.—An individual who has been adjudicated as a mental defective before the date that is 180 days after the date of enactment of this Act may not apply for relief from disability under section 101(c)(2) of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) on the basis that the individual does not meet the requirements in section 921(a)(36) of title 18, United States Code, as added by subsection (a).

(c) NICS IMPROVEMENT AMENDMENTS ACT OF 2007.—Section 3 of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended by striking paragraph (2) and inserting the following:

''(2) MENTAL HEALTH TERMS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the terms 'adjudicated as a mental defective' and 'committed to a mental institution' shall have the meanings given the terms in section 921(a) of title 18, United States Code.

''(B) EXCEPTION.—For purposes of sections 102 and 103, the terms 'adjudicated as a mental defective' and 'committed to a mental institution' shall have the same meanings as on the day before the date of enactment of the Fix Gun Checks Act of 2016 until the end of the 2-year period beginning on such date of enactment.''.

SEC. 614. CLARIFICATION THAT FEDERAL COURT INFORMATION IS TO BE MADE AVAILABLE TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.

Section 103(e)(1) of the Brady Handgun Violence Protection Act (18 U.S.C. 922 note), as amended by section 612 of this Act, is amended by adding at the end the following:

''(G) APPLICATION TO FEDERAL COURTS.—In this paragraph—

''(i) the terms 'department or agency of the United States' and 'Federal department or agency' include a Federal court; and

''(ii) for purposes of any request, submission, or notification, the Director of the Administrative Office of the United States Courts shall perform the functions of the head of the department or agency.''.

Subtitle B—Requiring a Background Check for Every Firearm Sale

SEC. 621. PURPOSE.

The purpose of this subtitle is to extend the Brady Law background check procedures to all sales and transfers of firearms.

SEC. 622. FIREARMS TRANSFERS.

(a) IN GENERAL.—Section 922 of title 18, United States Code, is amended—

(1) by striking subsection (s) and redesignating subsection (t) as subsection (s);

(2) in subsection (s), as so redesignated—

(A) in paragraph (3)(C)(ii), by striking ''(as defined in subsection (s)(8))''; and

(B) by adding at the end the following:

''(7) In this subsection, the term 'chief law enforcement officer' means the chief of police, the sheriff, or an equivalent officer or the designee of any such individual.''; and

(3) by inserting after subsection (s), as so redesignated, the following:

''(t)(1) It shall be unlawful for any person who is not a licensed importer, licensed manufacturer, or licensed dealer to transfer a firearm to any other person who is not so licensed, unless a licensed importer, licensed manufacturer, or licensed dealer has first taken possession of the firearm for the purpose of complying with subsection (s). Upon taking possession of the firearm, the licensee shall comply with all requirements of this chapter as if the licensee were transferring the firearm from the inventory of the licensee to the unlicensed transferee.

''(2) Paragraph (1) shall not apply to—

''(A) a transfer of a firearm by or to any law enforcement agency or any law enforcement officer, armed private security professional, or member of the armed forces, to the extent the officer, professional, or member is acting within the course and scope of employment and official duties;

''(B) a transfer that is a loan or bona fide gift between spouses, between domestic partners, between parents and their children, between siblings, or between grandparents and their grandchildren;

''(C) a transfer to an executor, administrator, trustee, or personal representative of an estate or a trust that occurs by operation of law upon the death of another person;

''(D) a temporary transfer that is necessary to prevent imminent death or great bodily harm, if the possession by the transferee lasts only as long as immediately necessary to prevent the imminent death or great bodily harm;

''(E) a transfer that is approved by the Attorney General under section 5812 of the Internal Revenue Code of 1986; or

''(F) a temporary transfer if the transferor has no reason to believe that the transferee will use or intends to use the firearm in a crime or is prohibited from possessing firearms under State or Federal law, and the transfer takes place and the transferee's possession of the firearm is exclusively—

''(i) at a shooting range or in a shooting gallery or other area designated and built for the purpose of target shooting;

''(ii) while hunting, trapping, or fishing, if the hunting, trapping, or fishing is legal in all places where the transferee possesses the firearm and the transferee holds all licenses or permits required for such hunting, trapping, or fishing; or

''(iii) while in the presence of the transferor.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SECTION 922.—Section 922(y)(2) of such title is amended in the matter preceding subparagraph (A), by striking '', (g)(5)(B), and (s)(3)(B)(v)(II)'' and inserting ''and (g)(5)(B)''.

(2) SECTION 925A.—Section 925A of such title is amended in the matter preceding paragraph (1), by striking ''subsection (s) or (t) of section 922'' and inserting ''section 922(s)''.

(c) EFFECTIVE DATE.—The amendment made by subsection (a)(4) shall take effect 180 days after the date of the enactment of this Act.

SEC. 623. LOST AND STOLEN REPORTING.

(a) IN GENERAL.—Section 922 of title 18, United States Code, is amended by adding at the end the following:

''(aa) It shall be unlawful for any person who lawfully possesses or owns a firearm that has been shipped or transported in, or has been possessed in or affecting, interstate or foreign commerce, to fail to report the theft or loss of the firearm, within 48 hours after the person discovers the theft or loss, to the Attorney General and to the appropriate local authorities.''.

(b) PENALTY.—Section 924(a)(1)(B) of such title is amended to read as follows:

''(B) knowingly violates subsection (a)(4), (f), (k), (q), or (aa) of section 922;''.

SA 4751. Mr. MCCONNELL (for Mr. GRASSLEY) proposed an amendment to amendment SA 4750 proposed by Mr. MCCONNELL (for Mr. MURPHY (for himself, Mr. BOOKER, Mr. BLUMENTHAL, Mr. SCHUMER, and Mr. CARDIN)) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the appropriate place, insert the following:

TITLE ____—PROTECTING COMMUNITIES AND PRESERVING THE SECOND AMENDMENT

SEC. __01. SHORT TITLE.

This title may be cited as the ''Protecting Communities and Preserving the Second Amendment Act of 2016''.

SEC. __02. DEFINITIONS.

In this title—

(1) the term ''agency'' has the meaning given the term in section 551 of title 5, United States Code;

(2) the term ''NICS'' means the National Instant Criminal Background Check System; and

(3) the term ''relevant Federal records'' means any record demonstrating that a person is prohibited from possessing or receiving a firearm under subsection (g) or (n) of section 922 of title 18, United States Code.

SEC. __03. REAUTHORIZATION AND IMPROVEMENTS TO NICS.

(a) IN GENERAL.—Section 103 of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended—

(1) by redesignating subsection (e) as subsection (f) and amending such subsection to read as follows:

''(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $125,000,000 for each of fiscal years 2016 through 2020.''; and

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

''(e) ACCOUNTABILITY.—All grants awarded by the Attorney General under this section shall be subject to the following accountability provisions:

''(1) DEFINITION.—In this subsection, the term 'unresolved audit finding' means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

''(2) AUDITS.—Beginning in the first fiscal year beginning after the date of enactment of this subsection, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this section to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

''(3) PRIORITY.—In awarding grants under this section, the Attorney General shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this section.''.

(b) MODIFICATION OF ELIGIBILITY REQUIREMENTS.—The NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended—

(1) in section 102(b)(1)—

(A) in subparagraph (A), by striking ''subparagraph (C)'' and inserting ''subparagraph (B)'';

(B) by striking subparagraph (B); and

(C) by redesignating subparagraph (C) as subparagraph (B);

(2) in section 103(a)(1), by striking ''and subject to section 102(b)(1)(B)''; and

(3) in section 104(d), by striking ''section 102(b)(1)(C)'' and inserting ''section 102(b)(1)(B)''.

SEC. __04. AVAILABILITY OF RECORDS TO NICS.

(a) GUIDANCE.—Not later than 45 days after the date of enactment of this Act, the Attorney General shall issue guidance regarding—

(1) the identification and sharing of relevant Federal records; and

(2) submission of the relevant Federal records to NICS.

(b) PRIORITIZATION OF RECORDS.—Each agency that possesses relevant Federal records shall prioritize providing the relevant information contained in the relevant Federal records to NICS on a regular and ongoing basis in accordance with the guidance issued by the Attorney General under subsection (a).

(c) REPORTS.—Not later than 60 days after the Attorney General issues guidance under subsection (a), the head of each agency shall submit a report to the Attorney General that—

(1) advises whether the agency possesses relevant Federal records; and

(2) describes the implementation plan of the agency for making the relevant information contained in relevant Federal records available to NICS in a manner consistent with applicable law.

(d) DETERMINATION OF RELEVANCE.—The Attorney General shall resolve any dispute regarding whether—

(1) agency records are relevant Federal records; and

(2) the relevant Federal records of an agency should be made available to NICS.

SEC. __05. DEFINITIONS RELATING TO MENTAL HEALTH.

(a) TITLE 18 DEFINITIONS.—Chapter 44 of title 18, United States Code, is amended—

(1) in section 921(a), by adding at the end the following:

''(36)(A) Subject to subparagraph (B), the term 'has been adjudicated mentally incompetent or has been committed to a psychiatric hospital', with respect to a person—

''(i) means the person is the subject of an order or finding by a judicial officer, court, board, commission, or other adjudicative body—

''(I) that was issued after—

''(aa) a hearing—

''(AA) of which the person received actual notice; and

''(BB) at which the person had an opportunity to participate with counsel; or

''(bb) the person knowingly and intelligently waived the opportunity for a hearing—

''(AA) of which the person received actual notice; and

''(BB) at which the person would have had an opportunity to participate with counsel; and

''(II) that found that the person, as a result of marked subnormal intelligence, mental impairment, mental illness, incompetency, condition, or disease—

''(aa) was a danger to himself or herself or to others;

''(bb) was guilty but mentally ill in a criminal case, in a jurisdiction that provides for such a verdict;

''(cc) was not guilty in a criminal case by reason of insanity or mental disease or defect;

''(dd) was incompetent to stand trial in a criminal case;

''(ee) was not guilty by reason of lack of mental responsibility under section 850a of title 10 (article 50a of the Uniform Code of Military Justice);

''(ff) required involuntary inpatient treatment by a psychiatric hospital for any reason, including substance abuse; or

''(gg) required involuntary outpatient treatment by a psychiatric hospital based on a finding that the person is a danger to himself or herself or to others; and

''(ii) does not include—

''(I) an admission to a psychiatric hospital for observation; or

''(II) a voluntary admission to a psychiatric hospital.

''(B) In this paragraph, the term 'order or finding' does not include—

''(i) an order or finding that has expired, has been set aside, has been expunged, or is otherwise no longer applicable because a judicial officer, court, board, commission, adjudicative body, or appropriate official has found that the person who is the subject of the order or finding—

''(I) does not present a danger to himself or herself or to others;

''(II) has been restored to sanity or cured of mental disease or defect;

''(III) has been restored to competency; or

''(IV) no longer requires involuntary inpatient or outpatient treatment by a psychiatric hospital, and the person is not a danger to himself, herself, or others; or

''(ii) an order or finding with respect to which the person who is subject to the order or finding has been granted relief from disabilities under section 925(c), under a program described in section 101(c)(2)(A) or 105 of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note), or under any other State-authorized relief from disabilities program of the State in which the original commitment or adjudication occurred.

''(37) The term 'psychiatric hospital' includes a mental health facility, a mental hospital, a sanitarium, a psychiatric facility, and any other facility that provides diagnoses or treatment by licensed professionals of mental retardation or mental illness, including a psychiatric ward in a general hospital.''; and

(2) in section 922—

(A) in subsection (d)(4)—

(i) by striking ''as a mental defective'' and inserting ''mentally incompetent''; and

(ii) by striking ''any mental institution'' and inserting ''a psychiatric hospital''; and

(B) in subsection (g)(4)—

(i) by striking ''as a mental defective or who has'' and inserting ''mentally incompetent or has''; and

(ii) by striking ''mental institution'' and inserting ''psychiatric hospital''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended—

(1) by striking ''as a mental defective'' each place that term appears and inserting ''mentally incompetent'';

(2) by striking ''mental institution'' each place that term appears and inserting ''psychiatric hospital'';

(3) in section 101(c)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking ''to the mental health of a person'' and inserting ''to whether a person is mentally incompetent''; and

(B) in paragraph (2)—

(i) in subparagraph (A)(i), by striking ''to the mental health of a person'' and inserting ''to whether a person is mentally incompetent''; and

(ii) in subparagraph (B), by striking ''to the mental health of a person'' and inserting ''to whether a person is mentally incompetent''; and

(4) in section 102(c)(3)—

(A) in the paragraph heading, by striking ''AS A MENTAL DEFECTIVE OR COMMITTED TO A MENTAL INSTITUTION'' and inserting ''MENTALLY INCOMPETENT OR COMMITTED TO A PSYCHIATRIC HOSPITAL''; and

(B) by striking ''mental institutions'' and inserting ''psychiatric hospitals''.

SEC. __06. CLARIFICATION THAT FEDERAL COURT INFORMATION IS TO BE MADE AVAILABLE TO THE NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM.

Section 103(e)(1) of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note) is amended by adding at the end the following:

''(F) APPLICATION TO FEDERAL COURTS.—In this paragraph—

''(i) the terms 'department or agency of the United States' and 'Federal department or agency' include a Federal court; and

''(ii) for purposes of any request, submission, or notification, the Director of the Administrative Office of the United States Courts shall perform the functions of the head of the department or agency.''.

SEC. __07. REPORTS AND CERTIFICATIONS TO CONGRESS.

(a) NICS REPORTS.—Not later than October 1, 2016, and every year thereafter, the head of each agency that possesses relevant Federal records shall submit a report to Congress that includes—

(1) a description of the relevant Federal records possessed by the agency that can be shared with NICS in a manner consistent with applicable law;

(2) the number of relevant Federal records the agency submitted to NICS during the reporting period;

(3) efforts made to increase the percentage of relevant Federal records possessed by the agency that are submitted to NICS;

(4) any obstacles to increasing the percentage of relevant Federal records possessed by the agency that are submitted to NICS;

(5) measures put in place to provide notice and programs for relief from disabilities as required under the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) if the agency makes qualifying adjudications relating to the mental health of an individual;

(6) measures put in place to correct, modify, or remove records available to NICS when the basis on which the records were made available no longer applies; and

(7) additional steps that will be taken during the 1-year period after the submission of the report to improve the processes by which relevant Federal records are—

(A) identified;

(B) made available to NICS; and

(C) corrected, modified, or removed from NICS.

(b) CERTIFICATIONS.—

(1) IN GENERAL.—The annual report requirement in subsection (a) shall not apply to an agency that, as part of a report required to be submitted under subsection (a), provides certification that the agency has—

(A) made available to NICS relevant Federal records that can be shared in a manner consistent with applicable law;

(B) a plan to make any relevant Federal records available to NICS and a description of that plan; and

(C) a plan to update, modify, or remove records electronically from NICS not less than quarterly as required by the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) and a description of that plan.

(2) FREQUENCY.—Each agency that is not required to submit annual reports under paragraph (1) shall submit an annual certification to Congress attesting that the agency continues to submit relevant Federal records to NICS and has corrected, modified, or removed records available to NICS when the basis on which the records were made available no longer applies.

(c) REPORTS TO CONGRESS ON FIREARMS PROSECUTIONS.—

(1) REPORT TO CONGRESS.—Beginning on February 1, 2017, and on February 1 of each year thereafter through 2026, the Attorney General shall submit to the Committees on the Judiciary and Committees on Appropriations of the Senate and the House of Representatives a report of information gathered under this subsection during the fiscal year that ended on September 30 of the preceding year.

(2) SUBJECT OF ANNUAL REPORT.—Not later than 90 days after the date of enactment of this Act, the Attorney General shall require each component of the Department of Justice, including each United States Attorney's Office, to furnish for the purposes of the report described in paragraph (1), information relating to any case presented to the Department of Justice for review or prosecution, in which the objective facts of the case provide probable cause to believe that there has been a violation of section 922 or 924 of title 18, United States Code, or section 5861 of the Internal Revenue Code of 1986.

(3) ELEMENTS OF ANNUAL REPORT.—With respect to each case described in paragraph (2), the report submitted under paragraph (1) shall include information indicating—

(A) whether in any such case, a decision has been made not to charge an individual with a violation of section 922 or 924 of title 18, United States Code, or section 5861 of the Internal Revenue Code of 1986, or any other violation of Federal criminal law;

(B) in any case described in subparagraph (A), a description of why no charge was filed under section 922 or 924 of title 18, United States Code, or section 5861 of the Internal Revenue Code of 1986;

(C) whether in any case described in paragraph (2), an indictment, information, or other charge has been brought against any person, or the matter is pending;

(D) whether, in the case of an indictment, information, or other charge described in subparagraph (C), the charging document contains a count or counts alleging a violation of section 922 or 924 of title 18, United States Code, or section 5861 of the Internal Revenue Code of 1986;

(E) in any case described in subparagraph (D) in which the charging document contains a count or counts alleging a violation of section 922 or 924 of title 18, United States Code, or section 5861 of the Internal Revenue Code of 1986, whether a plea agreement of any kind has been entered into with such charged individual;

(F) whether any plea agreement described in subparagraph (E) required that the individual plead guilty, to enter a plea of nolo contendere, or otherwise caused a court to enter a conviction against that individual for a violation of section 922 or 924 of title 18, United States Code, or section 5861 of the Internal Revenue Code of 1986;

(G) in any case described in subparagraph (F) in which the plea agreement did not require that the individual plead guilty, enter a plea of nolo contendere, or otherwise cause a court to enter a conviction against that individual for a violation of section 922 or 924 of title 18, United States Code, or section

5861 of the Internal Revenue Code of 1986, identification of the charges to which that individual did plead guilty;

(H) in the case of an indictment, information, or other charge described in subparagraph (C), in which the charging document contains a count or counts alleging a violation of section 922 or 924 of title 18, United States Code, or section 5861 of the Internal Revenue Code of 1986, the result of any trial of such charges (guilty, not guilty, mistrial);

(I) in the case of an indictment, information, or other charge described in subparagraph (C), in which the charging document did not contain a count or counts alleging a violation of section 922 or 924 of title 18, United States Code, or section 5861 of the Internal Revenue Code of 1986, the nature of the other charges brought and the result of any trial of such other charges as have been brought (guilty, not guilty, mistrial);

(J) the number of persons who attempted to purchase a firearm but were denied because of a background check conducted in accordance with section 922(t) of title 18, United States Code; and

(K) the number of prosecutions conducted in relation to persons described in subparagraph (J).

SEC. __08. LIMITATION ON OPERATIONS BY THE DEPARTMENT OF JUSTICE.

The Department of Justice, and any of its law enforcement coordinate agencies, shall not conduct any operation where a Federal firearms licensee is directed, instructed, enticed, or otherwise encouraged by the Department of Justice to sell a firearm to an individual if the Department of Justice, or a coordinate agency, knows or has reasonable cause to believe that such an individual is purchasing on behalf of another for an illegal purpose unless the Attorney General, the Deputy Attorney General, or the Assistant Attorney General for the Criminal Division personally reviews and approves the operation, in writing, and determines that the agency has prepared an operational plan that includes sufficient safeguards to prevent firearms from being transferred to third parties without law enforcement taking reasonable steps to lawfully interdict those firearms.

SEC. __09. STUDY BY THE NATIONAL INSTITUTES OF JUSTICE AND NATIONAL ACADEMY OF SCIENCES ON THE CAUSES OF MASS SHOOTINGS.

(a) IN GENERAL.—

(1) STUDY.—Not later than 90 days after the date of enactment of this Act, the Attorney General shall instruct the Director of the National Institutes of Justice to conduct a peer-reviewed study to examine various sources and causes of mass shootings, including psychological factors, the impact of violent video games, and other factors. The Director shall enter into a contract with the National Academy of Sciences to conduct this study jointly with an independent panel of 5 experts appointed by the Academy.

(2) REPORT.—Not later than 1 year after the date on which the study required under paragraph (1) begins, the Director shall submit to Congress a report detailing the findings of the study.

(b) ISSUES EXAMINED.—The study conducted under subsection (a)(1) shall examine—

(1) mental illness;

(2) the availability of mental health and other resources and strategies to help families detect and counter tendencies toward violence;

(3) the availability of mental health and other resources at schools to help detect and counter tendencies of students towards violence;

(4) the extent to which perpetrators of mass shootings, either alleged, convicted, deceased, or otherwise, played violent or adult-themed video games and whether the perpetrators of mass shootings discussed, planned, or used violent or adult-themed video games in preparation of or to assist in carrying out their violent actions;

(5) familial relationships, including the level of involvement and awareness of parents;

(6) exposure to bullying; and

(7) the extent to which perpetrators of mass shootings were acting in a ''copycat'' manner based upon previous violent events.

SEC. __10. REPORTS TO CONGRESS REGARDING AMMUNITION PURCHASES BY FEDERAL AGENCIES.

Not later than 1 year after the date of enactment of this Act, the Director of the Office of Management and Budget shall submit to the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Chairs and Ranking Members of the Committee on Appropriations of the Senate, the Committee on the Judiciary of the Senate, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Appropriations of the House of Representatives, the Committee on the Judiciary of the House of Representatives, the Committee on Homeland Security of the House of Representatives, and the Committee on Oversight and Government Reform of the House of Representatives a report that includes—

(1) details of all purchases of ammunition by each Federal agency;

(2) a summary of all purchases, solicitations, and expenditures on ammunition by each Federal agency;

(3) a summary of all the rounds of ammunition expended by each Federal agency and a current listing of stockpiled ammunition for each Federal agency; and

(4) an estimate of future ammunition needs and purchases for each Federal agency for the next fiscal year.

SEC. __11. INCENTIVES FOR STATE COMPLIANCE WITH NICS MENTAL HEALTH RECORD REQUIREMENTS.

Section 104(b) of the NICS Improvement Amendments Act of 2007 (18 U.S.C. 922 note) is amended—

(1) by striking paragraphs (1) and (2);

(2) by redesignating paragraph (3) as paragraph (2);

(3) in paragraph (2), as redesignated, by striking ''of paragraph (2)'' and inserting ''of paragraph (1)''; and

(4) by inserting before paragraph (2), as redesignated, the following:

''(1) INCENTIVES FOR PROVIDING MENTAL HEALTH RECORDS AND FIXING THE BACKGROUND CHECK SYSTEM.—

''(A) DEFINITION OF COMPLIANT STATE.—In this paragraph, the term 'compliant State' means a State that has—

''(i) provided not less than 90 percent of the records required to be provided under sections 102 and 103; or

''(ii) in effect a statute that—

''(I) requires the State to provide the records required to be provided under sections 102 and 103; and

''(II) implements a relief from disabilities program in accordance with section 105.

''(B) INCENTIVES FOR COMPLIANCE.—During the period beginning on the date that is 18 months after the date of enactment of the Protecting Communities and Preserving the Second Amendment Act of 2016 and ending on the date that is 5 years after the date of enactment of such Act, the Attorney General—

''(i) shall use funds appropriated to carry out section 103 of this Act, the excess unobligated balances of the Department of Justice and funds withheld under clause (ii), or any combination thereof, to increase the amounts available under section 505 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3755) for each compliant State in an amount that is not less than 2 percent nor more than 5 percent of the amount that was allocated to such State under such section 505 in the previous fiscal year; and

''(ii) may withhold an amount not to exceed the amount described in clause (i) that would otherwise be allocated to a State under any section of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) if the State—

''(I) is not a compliant State; and

''(II) does not submit an assurance to the Attorney General that—

''(aa) an amount that is not less than the amount described in clause (i) will be used solely for the purpose of enabling the State to become a compliant State; or

''(bb) the State will hold in abeyance an amount that is not less than the amount described in clause (i) until such State has become a compliant State.

''(C) REGULATIONS.—Not later than 180 days after the date of enactment of the Protecting Communities and Preserving the Second Amendment Act of 2016, the Attorney General shall issue regulations implementing this paragraph.''.

SEC. __12. NOTIFICATION OF PROSPECTIVE FIREARM TRANSFERS TO KNOWN OR SUSPECTED TERRORISTS.

The Attorney General shall establish a process by which the Attorney General and Federal, State, and local law enforcement are immediately notified, as appropriate, of any request to transfer a firearm or explosive to a person who is, or within the previous 5 years was, investigated as a known or suspected terrorist.

SA 4752. Mr. MCCONNELL proposed an amendment to amendment SA 4751 proposed by Mr. MCCONNELL (for Mr. GRASSLEY) to the amendment SA 4750 proposed by Mr. MCCONNELL (for Mr. MURPHY (for himself, Mr. BOOKER, Mr. BLUMENTHAL, Mr. SCHUMER, and Mr. CARDIN)) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the end add the following:

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

SA 4753. Mr. SHELBY (for himself, Mr. SESSIONS, Mr. RUBIO, and Mr. NELSON) submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the funds made available in this Act, or any contributed or non-Federal funds, may be used—

(1) to study reallocation of water within the Alabama-Coosa-Tallapoosa or Apalachicola-Chattahoochee-Flint river basins until the Secretary of the Army has executed a Partnering Agreement—

(A) with—

(i) in the case of the Alabama-Coosa-Tallapoosa basin, each of the States of Alabama and Georgia; and

(ii) in the case of the Apalachicola-Chattahoochee-Flint basin, each of the States of Alabama, Florida, and Georgia; and

(B) that outlines the participation of each State in separate water reallocation studies for each basin; or

(2) to reallocate water within the Alabama-Coosa-Tallapoosa or Apalachicola-Chattahoochee-Flint river basins until the Secretary of the Army executes a final agreement with each State through which the relevant river basin flows that provides the explicit consent of each relevant State to any reallocation.

SA 4754. Ms. CANTWELL (for herself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, strike lines 8 through 11 and insert the following:

United States Code, $50,000,000, of which $1,000,000 shall remain available until expended: *Provided*, That not to exceed $124,000 shall be available for official reception and representation expenses.

TRADE ENFORCEMENT TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

For activities of the United States Trade Representative authorized by section 611 of the Trade Facilitation and Trade Enforcement Act of 2015 (19 U.S.C. 4405), including transfers, $15,000,000, to be derived from the Trade Enforcement Trust Fund: *Provided*, That any transfer pursuant to subsection (d)(1) of such section shall be treated as a reprogramming under section 505 of this Act: *Provided further*, That the amount appropriated in title I of this Act under the heading ''RENOVATION AND MODERNIZATION'' under the heading ''DEPARTMENTAL MANAGEMENT'' under the heading ''DEPARTMENT OF COMMERCE'' shall be reduced by $6,224,000.

SA 4755. Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. In order to carry out the purposes of the POWER Program, the Economic Development Administration shall enter into a memorandum of understanding with the Appalachian Regional Commission that establishes a process by which an applicant may receive a 100-percent federally funded grant.

SA 4756. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. Section 501(a)(1) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3751(a)(1)) is amended by adding at the end the following:

''(H) State and local programs that are equivalent to the Fugitive Safe Surrender program of the United States Marshals Service authorized under section 632 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16989).''.

SA 4757. Mr. REID (for himself, Mr. LEAHY, Mrs. MURRAY, Mr. MENENDEZ, and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 26, line 10, strike the period at the end and insert the following: '': *Provided further*, That none of the funds made available under this heading may be used for any hearing or review conducted by the Executive Office for Immigration Review, including appellate reviews and administrative hearings, for an unaccompanied alien child (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))) unless the child is represented by legal counsel, which may be appointed by the Executive Office for Immigration Review if the child is otherwise unrepresented.''.

SA 4758. Mr. GARDNER (for himself, Mr. HATCH, and Mr. JOHNSON) submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. None of the funds made available by this Act may be used to take any action to prevent a State from implementing any law that makes it lawful to possess, distribute, or use cannabidiol or cannabidiol oil.

SA 4759. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) Congress finds that not addressing appeals of determinations made by the National Instant Criminal Background Check System (commonly referred to as ''NICS'') deprives law-abiding citizens of their—

(1) right to keep and bear arms under the Second Amendment to the Constitution of the United States; and

(2) due process rights under the Fifth Amendment to the Constitution of the United States.

(b) The Federal Bureau of Investigation (referred to in this section as the ''FBI''), in accordance with the commitment of the President to hire more than 230 new NICS examiners and staff, announced on January 4, 2016, shall use amounts made available for salaries and expenses of the Bureau, and may not use any other amounts made available to the Bureau—

(1) to pay NICS examiners to process new appeals of NICS determinations and make a final disposition of each appeal not later than 90 days after the date of receipt of the appeal; and

(2) to pay NICS examiners to—

(A) eliminate the current backlog of appeals not later than 1 year after the date of enactment of this Act; and

(B) continue to add individuals to the voluntary appeal file (commonly referred to as the ''VAF'') to prevent subsequent delays and erroneous denials.

(c) The FBI may not cease the review or final disposition of appeals of NICS determinations on or after the date of enactment of this Act.

(d) The FBI shall submit to Congress an annual report on the disposition of appeals of NICS determinations during the previous year that includes—

(1) the number of NICS checks on individuals that were—

(A) conducted by the FBI; or

(B) conducted by a Point of Contact (commonly referred to as ''POC'') State or local agency;

(2) with respect to the NICS checks described in paragraph (1), the number of denials of firearm transfers that resulted from checks—

(A) conducted by the FBI; or

(B) conducted by a POC State or local agency;

(3) with respect to the denials of firearm transfers described in paragraph (2), the number of denials resulting from NICS checks conducted by—

(A) the FBI that were appealed; or

(B) a POC State or local agency that were appealed—

(i) to the POC State or local agency; or

(ii) to the FBI;

(4) with respect to the appeals described in—

(A) subparagraph (A) or (B)(ii) of paragraph (3), that number that were reversed by the FBI for—

(i) FBI denials; or

(ii) POC State or local agency denials; or

(B) subparagraph (B)(i) of paragraph (3), the number that were reversed by the POC State or local agency; and

(5) the number of FBI denials that involved a VAF application without a preceding appeal of a NICS denial.

SA 4760. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. None of the funds made available under this Act or any other Act may be used to—

(1) mandate the use of authorized user recognition (commonly known as ''smart gun'') technology by any Federal, State, local, or tribal law enforcement agency; or

(2) require any State, local, or tribal law enforcement agency to obtain or utilize authorized user recognition technology as a condition of receiving Federal grant funding, except in the case of a grant for research of authorized user recognition technology.

SA 4761. Mr. BOOZMAN (for himself, Mr. SESSIONS, Mr. TILLIS, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) None of the amounts in the Department of Justice Assets Forfeiture Fund (referred to in this section as the ''Fund''), whether deposited in the Fund before, on, or after the date of enactment of this Act, may be—

(1) reprogrammed, diverted, or used as an offset for non-law enforcement purposes; or

(2) otherwise used by a non-criminal justice agency that does not participate in the Department of Justice Equitable Sharing Program.

(b)(1) The Attorney General may not temporarily or permanently suspend or defer any payments from the Fund to State and local law enforcement agencies through the Department of Justice Equitable Sharing Program.

(2) Nothing in paragraph (1) shall be construed to authorize the Attorney General to prioritize payments described in that paragraph over other authorized uses of amounts in the Fund under the Department of Justice Asset Forfeiture Program.

(c) The Attorney General shall—

(1) ensure enforcement of the Department of Justice Equitable Sharing Program policies with respect to participants in the Program; and

(2) submit an annual report to Congress that describes—

(A) each participant that was audited, had funds temporarily or permanently frozen or deferred, or was subject to any other form of suspension or penalty due to a violation of the Program's policies during the previous year; and

(B) the current status within the Program of each participant described in subparagraph (A).

SA 4762. Mr. MERKLEY (for himself, Mr. KIRK, Ms. BALDWIN, Mr. BOOKER, Ms. MIKULSKI, Mrs. SHAHEEN, Mrs. MURRAY, Mr. COONS, and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) Congress finds the following:

(1) Equal treatment and protection under the law is one of the most cherished constitutional principles of the United States.

(2) Laws in many parts of the country still fail to explicitly prohibit discrimination against lesbian, gay, bisexual, and transgender (hereafter in this section referred to as ''LGBT'') individuals.

(3) The failure to actively oppose and prohibit discrimination leaves LGBT individuals vulnerable, based on who the LGBT individuals are or whom LGBT individuals love, to being—

(A) evicted from their homes;

(B) denied credit or other financial services;

(C) refused basic services in public places such as restaurants or shops; or

(D) terminated from employment, or otherwise discriminated against in employment.

(4) To allow discrimination to persist is incompatible with the founding principles of this country.

(5) Failure to ensure that all people of the United States are treated equally allows a culture of hate against some people in the United States to fester.

(6) This hate culture includes continuing physical assaults and murders committed against LGBT individuals, and particularly against transgender individuals, in the United States.

(7) The events that transpired on June 12, 2016, in Orlando, Florida, were a horrifying and tragic act of hate and terror that took the lives of 49 innocent individuals and injured 53 more. The victims were targeted because of who they were, whom they loved, or whom they associated with.

(b) It is the sense of Congress that—

(1) it is time to end discrimination against LGBT individuals and stand against the culture of hatred and prejudice that such discrimination allows;

(2) it is incumbent on policymakers to ensure that LGBT individuals benefit from the full protection of the civil rights laws of the Nation; and

(3) Congress commits to take every action necessary to make certain that all people of the United States are treated and protected equally under the law.

SA 4763. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, line 11, strike the period and insert '': *Provided further*, That $9,376,000 shall be transferred to the Trade Enforcement Trust Fund established under section 611 of the Trade Facilitation and Trade Enforcement Act of 2015 (19 U.S.C. 4405), to be used for enforcement, monitoring, investigation, and capacity-building activities related to free trade agreements: *Provided further*, That any such transfer shall be treated as a reprogramming under section 505 of this Act and amounts so transferred shall not be available for obligation or expenditure except in accordance with such section 505.''.

SA 4764. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. TERRORIST REFUGEE INFILTRATION PREVENTION.

(a) SHORT TITLE.—This section may be cited as the ''Terrorist Refugee Infiltration Prevention Act of 2016''.

(b) DEFINITIONS.—In this section:

(1) COUNTRY CONTAINING TERRORIST-CONTROLLED TERRITORY.—The term ''country containing terrorist-controlled territory'' means—

(A) Iraq, Libya, Somalia, Syria, and Yemen; and

(B) any other country designated by the Secretary of State pursuant to section 4(a).

(2) REFUGEE.—The term ''refugee'' has the meaning given the term in section 101(a)(42) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(42)).

(3) SUBSTANTIAL ASSISTANCE.—The term ''substantial assistance'' means a level of assistance without which the United States could not achieve the purposes for which the assistance was provided or sought.

(4) VICTIM OF GENOCIDE.—The term ''victim of genocide'' has the meaning given the term in Article II of the United Nations Convention on the Prevention and Punishment of the Crime of Genocide, opened for signature in Paris on December 9, 1948.

(c) PROHIBITION ON REFUGEES FROM TERRORIST-CONTROLLED TERRITORIES.—

(1) IN GENERAL.—Except as provided in paragraph (2) and notwithstanding any other provision of law, an alien may not be admitted to the United States under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) if the alien is a national of, has habitually resided in, or is claiming refugee status due to events in any country containing terrorist-controlled territory.

(2) EXCEPTION.—

(A) IN GENERAL.—An alien otherwise prohibited from admission to the United States under paragraph (1) may be admitted to the United States under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) if the alien clearly proves, beyond doubt, that he or she—

(i) satisfies the requirements for admission as a refugee; and

(ii) is a member of a group that has been designated by the Secretary of State or by an Act of Congress as a victim of genocide.

(B) NATIONAL SECURITY THREAT.—An alien may not be admitted under subparagraph (A) unless—

(i) the alien has undergone the highest level of security screening of any category of traveler to the United States, including assessments by the Department of State, the Department of Defense, the Department of Homeland Security, the Federal Bureau of Investigation Terrorist Screening Center, and the National Counterterrorism Center;

(ii) full multi-modal biometrics of the alien have been taken, including face, iris, and all fingerprints; and

(iii) the Secretary of State, the Secretary of Defense, the Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, and the Director of National Intelligence certify that such alien is not a threat to the national security of the United States.

(3) APPLICABILITY.—Paragraphs (1) and (2) shall not apply to any alien seeking admission under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) if the Secretary of State, the Secretary of Defense, the Secretary of Homeland Security, and the Director of National Intelligence certify that the alien—

(A) provided substantial assistance to the United States; and

(B) would face a substantial risk of death or serious bodily injury because of that assistance if not admitted to the United States.

(d) RESPONSIBILITIES OF THE SECRETARY OF STATE.—

(1) IDENTIFICATION OF OTHER COUNTRIES.—In addition to the countries listed in subsection (b)(1)(A), the Secretary of State may designate, as a ''country containing terrorist-controlled territory'', any country containing territory that is controlled, in substantial part, by a Foreign Terrorist Organization, as designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189), to the exclusion of that country's recognized government.

(2) LIST OF COUNTRIES CONTAINING TERRORIST-CONTROLLED TERRITORY.—The Secretary of State shall—

(A) maintain and continually update a list of the countries containing terrorist-controlled territory; and

(B) continuously make available the list described in subparagraph (A)—

(i) on the Secretary's website;

(ii) to the Secretary of Homeland Security;

(iii) to Congress; and

(iv) to the public.

(3) VICTIMS OF GENOCIDE.—The Secretary of State shall—

(A) identify all groups that are victims of genocide;

(B) maintain and continually update a list of the groups that the Secretary or Congress has identified as victims of genocide; and

(C) continuously make available the list described in subparagraph (B)—

(i) on the Secretary's website;

(ii) to the Secretary of Homeland Security;

(iii) to Congress; and

(iv) to the public.

(4) NATIONAL SECURITY THREAT.—The Secretary of State may refuse to designate a group for the exception under subsection (c)(2)(A)(ii) if the Secretary determines that the group poses a substantial security risk to the United States.

(e) RESPONSIBILITIES OF THE SECRETARY OF HOMELAND SECURITY.—

(1) RULEMAKING.—The Secretary of Homeland Security shall issue regulations to implement subsection (c) as soon as practicable.

(2) LIMIT OF ALIEN ASSERTIONS.—The Secretary of Homeland Security may not admit any alien into the United States under this section solely based on the assertions of such alien.

(3) COORDINATION.—The Secretary of Homeland Security shall coordinate with the Secretary of State, the Secretary of Defense, the Director of the Federal Bureau of Investigation, and the Director of National Intelligence to substantiate, as much as reasonably practicable, the assertions made by aliens seeking admission to the United States.

(f) EFFECTIVE PERIOD.—This section shall be effective during the 3-year period beginning on the date of the enactment of this Act.

SA 4765. Mrs. GILLIBRAND (for herself and Mr. KIRK) submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. FIREARMS TRAFFICKING.

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by adding at the end the following:

''§ 932. Trafficking in firearms

''(a) OFFENSES.—It shall be unlawful for any person, regardless of whether anything of value is exchanged—

''(1) to ship, transport, transfer, or otherwise dispose to a person, 2 or more firearms in or affecting interstate or foreign commerce, if the transferor knows or has reasonable cause to believe that such use, carry, possession, or disposition of the firearm would be in violation of, or would result in a violation of any Federal, State, or local law punishable by a term of imprisonment exceeding 1 year;

''(2) to receive from a person, 2 or more firearms in or affecting interstate or foreign commerce, if the recipient knows or has reasonable cause to believe that such receipt would be in violation of, or would result in a violation of any Federal, State, or local law punishable by a term of imprisonment exceeding 1 year;

''(3) to make a statement to a licensed importer, licensed manufacturer, or licensed dealer relating to the purchase, receipt, or acquisition from a licensed importer, licensed manufacturer, or licensed dealer of 2 or more firearms that have moved in or affected interstate or foreign commerce that—

''(A) is material to—

''(i) the identity of the actual buyer of the firearms; or

''(ii) the intended trafficking of the firearms; and

''(B) the person knows or has reasonable cause to believe is false; or

''(4) to direct, promote, or facilitate conduct specified in paragraph (1), (2), or (3).

''(b) PENALTIES.—

''(1) IN GENERAL.—Any person who violates, or conspires to violate, subsection (a) shall be fined under this title, imprisoned for not more than 20 years, or both.

''(2) ORGANIZER ENHANCEMENT.—If a violation of subsection (a) is committed by a person in concert with 5 or more other persons with respect to whom such person occupies a position of organizer, a supervisory position, or any other position of management, such person may be sentenced to an additional term of imprisonment of not more than 5 consecutive years.

''(c) DEFINITIONS.—In this section—

''(1) the term 'actual buyer' means the individual for whom a firearm is being purchased, received, or acquired; and

''(2) the term 'term of imprisonment exceeding 1 year' does not include any offense classified by the applicable jurisdiction as a misdemeanor and punishable by a term of imprisonment of 2 years or less.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 44 of title 18, United States Code, is amended by adding at the end the following:

''932. Trafficking in firearms.''.

(c) DIRECTIVE TO THE SENTENCING COMMISSION.—

(1) IN GENERAL.—Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall review and, if appropriate, amend the Federal sentencing guidelines and policy statements applicable to persons convicted of offenses under section 932 of title 18, United States Code (as added by subsection (a)).

(2) REQUIREMENTS.—In carrying out this section, the Commission shall—

(A) review the penalty structure that the guidelines currently provide based on the number of firearms involved in the offense and determine whether any changes to that penalty structure are appropriate in order to reflect the intent of Congress that such penalties reflect the gravity of the offense; and

(B) review and amend, if appropriate, the guidelines and policy statements to reflect the intent of Congress that guideline penalties for violations of section 932 of title 18, United States Code, and similar offenses be increased substantially when committed by a person who is a member of a gang, cartel, organized crime ring, or other such enterprise or in concert with another person who is a member of a gang, cartel, organized crime ring or other such enterprise.

SA 4766. Mr. WICKER (for himself, Ms. CANTWELL, and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 13, line 8, strike ''*Provided*,'' and insert ''*Provided*, That not more than $8,000,000 may be used to fill gaps in the national surface current mapping network using high frequency radar technology and to allow fleet acquisition for autonomous underwater and surface vehicles for near real-time data collection: *Provided further*,''.

SA 4767. Mr. WYDEN (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 4685 proposed by Mr. SHELBY (for himself and Ms. MIKULSKI) to the bill H.R. 2578, making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 48, line 24, insert ''$5,000,000 is for emergency law enforcement assistance, as authorized by section 609M of the Justice Assistance Act of 1984 (42 U.S.C. 10513),'' after ''subpart 1,''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. VITTER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on June 16, 2016, at 9:30 a.m.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. VITTER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 16, 2016, at 10:30 a.m., to conduct a hearing entitled ''Our Evolving Understanding and Response to Transnational Criminal Threats.''

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

COMMITTEE ON THE JUDICIARY

Mr. VITTER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized

to meet during the session of the Senate on June 16, 2016, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building.

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

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. VITTER. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on June 16, 2016, at 11 a.m., in room 428A of the Russell Senate Office Building to conduct a hearing entitled ''Keeping the American Dream Alive: The Challenge to Create Jobs Under the NLRB's New Joint employer Standard.''

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. VITTER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 16, 2016, at 9 a.m., in room SH–216 of the Hart Senate Office Building.

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

PRIVILEGES OF THE FLOOR

Mr. COONS. Mr. President, I ask unanimous consent that two members of my staff, J Francis and Chelsea Moser, both from Wilmington, DE, be granted floor privileges for the remainder of this Congress.

The PRESIDING OFFICER. Without objection.

Mr. SASSE. Mr. President, I ask unanimous consent that Jason Bast, a Defense Legislative Fellow in the office of Senator COCHRAN be granted privileges of the floor for the remainder of the calendar year.

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

CONGRATULATING THE PITTSBURGH PENGUINS FOR WINNING THE 2016 STANLEY CUP HOCKEY CHAMPIONSHIP

Mr. SASSE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 499, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 499) congratulating the Pittsburgh Penguins for winning the 2016 Stanley Cup hockey championship.

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

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

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

The resolution (S. Res. 499) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

JUNETEENTH INDEPENDENCE DAY

Mr. SASSE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 500, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 500) designating June 19, 2016, as ''Juneteenth Independence Day'' in recognition of June 19, 1865, the date on which slavery legally came to an end in the United States.

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

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

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

The resolution (S. Res. 500) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

JOHN F. KENNEDY CENTER REAUTHORIZATION ACT OF 2016

Mr. SASSE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 465, S. 2808.

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

The legislative clerk read as follows:

A bill (S. 2808) to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts.

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

Mr. SASSE. 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 (S. 2808) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2808

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''John F. Kennedy Center Reauthorization Act of 2016''.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

Section 13 of the John F. Kennedy Center Act (20 U.S.C. 76r) is amended by striking subsections (a) and (b) and inserting the following:

''(a) MAINTENANCE, REPAIR, AND SECURITY.—There is authorized to be appropriated to the Board to carry out section 4(a)(1)(H)—

''(1) $24,000,000 for fiscal year 2017;

''(2) $25,000,000 for fiscal year 2018;

''(3) $25,000,000 for fiscal year 2019; and

''(4) $26,000,000 for fiscal year 2020.

''(b) CAPITAL PROJECTS.—There is authorized to be appropriated to the Board to carry out subparagraphs (F) and (G) of section 4(a)(1)—

''(1) $13,000,000 for fiscal year 2017;

''(2) $13,000,000 for fiscal year 2018;

''(3) $14,000,000 for fiscal year 2019; and

''(4) $14,000,000 for fiscal year 2020.''.

ORDERS FOR FRIDAY, JUNE 17, 2016, AND MONDAY, JUNE 20, 2016

Mr. SASSE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 11 a.m., Friday, June 17, for a pro forma session only with no business being conducted; further, that when the Senate adjourns on Friday, June 17, it next convene at 3 p.m., Monday, June 20; 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 H.R. 2578; finally, that notwithstanding the provisions of rule XXII, the pending cloture motions ripen at 5:30 p.m., Monday.

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

ORDER FOR ADJOURNMENT

Mr. SASSE. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator STABENOW and Senator CARPER.

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

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

REMEMBERING GEORGE VOINOVICH

Mr. CARPER. Mr. President, I come here with a solemn message today, and I come here remembering a Republican colleague who served in this body for 12 years—George Voinovich.

George was a former Governor of Ohio and a former mayor of Cleveland. I think, in his time, he was county auditor. He was Lieutenant Governor, I believe, and mayor of Cleveland. He was the chairman of the National League of Cities. As a two-term Governor of Ohio, he was also chairman of

the National Governors Association. I had the privilege of serving as his vice chairman and, later on, as his successor, as the chairman of the NGA.

Then George came here. He was elected in 1998, and he took office here in the Senate in 1999. He served for two terms and is, I am sure, remembered by everybody who served with him as smart, kind, principled, hard-working, and straight-talking. He was everything an elected official should be and could be.

He and I went to Ohio State together but not at the same time. He was in law school and a year or two older than me. I was an undergraduate, and so I never got to know him at that point in time. But we shared a lot of bonds. I got to know his family well, his wife Janet. She and my wife Martha, as we were Governors together, were spouses together and were very good and close friends.

I liked George. You know sometimes when you meet someone and you just like them right away? I don't believe anybody in Ohio history ever won all 84 counties, and with something like almost two-thirds of the vote. He did that. That was in 2004. I think in 2006, I won every county in Delaware. We have three. He has 80 or so counties. I would joke with him: Well, we both won every county in our State. It was a little harder for him.

He impacted this place, as I think relatively few people do. We served together on the Environment and Public Works Committee. We served together on the committee that was initially called Governmental Affairs and later Homeland Security and Governmental Affairs. He was one of the leaders in each of those committees.

George was one of those people who had the courage to keep out of step when everyone else was marching to the wrong tune. As a Republican, at a time when we had a Republican President—and by 2007 the war in Iraq was not going well—he very bravely, within his own caucus, called on President George W. Bush to begin a phased withdrawal of our troops. He basically said the Iraqis ought to be able to do a little more for themselves, fend for themselves. We will help them, but they should do more for themselves.

He was one who believed we needed to match revenues with expenditures, and he was a guy who really knew how to squeeze a dime. He was very fiscally very responsible. He was a big believer that States should be fiscally responsible—and cities. He became mayor of Cleveland when they were basically bankrupt. He helped guide them back to prosperity and helped to rekindle the economy there and helped to foster an extremely strong economy. That is how he won every single county in Ohio.

George was a guy who would actually vote against a tax break when he thought it wasn't fiscally responsible to do, if it would further erode our revenue base and enlarge our budget deficit. He was a very courageous—very courageous—elected official and someone you just liked.

You know sometimes you meet people and it is all about them? Well, it was never all about George. He was a guy who had every reason to be pompous and proud and everything, but he was not that way at all. How do I describe him? He had the heart of a servant. He understood that his job was to serve, not be served. He was humble, not haughty. He came from a humble background and never had a lot of money—he and his wife Janet—until the day he died.

George died in his sleep earlier this week, almost at the age of 80, just 2 days before my wife and I were supposed to have dinner with him and his wife here in Washington, and with other friends, to celebrate his impending 80th birthday.

I said earlier that George had the courage to keep out of step when everyone else was marching to the wrong tune. How do I say this? When faced with the dilemma of maybe voting with his caucus or voting with the President on something he just thought was wrong, he was amazingly brave. He would say: What is the right thing to do? I heard him say this more than a few times, as Governor, chairman of the National Governors Association, and here. He would say: What is the right thing to do? He wouldn't say: What is the easy thing to do? What is the expedient thing to do? But what is the right thing to do?

He was a person of deep faith. We have a Bible study group that meets here every Thursday, just upstairs, not far from this floor. There are about seven or eight of us, who, I like to say, need the most help. It is Democrats and Republicans. It is not just all one religion or the other. It is a meeting he came to just about every Thursday. He was a person of deep faith.

George felt that the most important rule of law for us to follow, regardless of what religion we were—whether Protestant or Catholic or Jewish or Muslim or Hindu or Buddhist—they all have some version of the golden rule. Even Confucius in China had something like the golden rule 2,500 years ago, which goes something like this: Don't do to others what you don't want to have done to you. But George was really the embodiment of the golden rule: Treat other people like you want to be treated.

He had a temper, but, frankly, he lost it when he should have. He lost it when he should have.

Today we had a roundtable, and the roundtable included someone from the Government Accountability Office. Every 2 years, as the Presiding Officer knows, GAO puts out a high-risk list. I describe it as high-risk ways of wasting taxpayer money. They lay out all these different things that should be done in agencies and that, if done, would not only provide better service for citizens of this country but also do so in a more cost-effective way.

George was always really interested in how we get better results with less money. He was always interested in that.

At this roundtable today, when we convened it, I said: Let's hold this roundtable today with the Government Accountability Office and with representatives from across the Federal Government who are working to get off GAO's high-risk list. In order to do that, you have to figure out how to address the concerns raised by GAO and their reviews of agency operations. We talked about some of the areas where Senator George Voinovich worked—in one case with Senator Danny Akaka from Hawaii—to address a number of areas of expenditures and practices that needed to be addressed.

Subsequent to the roundtable, I left there and came here to the Capitol Building and went to the office of the President pro tempore, Senator ORRIN HATCH, where he was signing a document relating to the adoption of legislation the Presiding Officer and I and others had worked on, which is focused on how we do a better job in this country when we transition from one administration—this President, the current administration, President Obama—to the next administration. How do we do that in a way that we just don't drop the ball and get further behind, stop making progress in particular areas, and undermine our national security? How do we transition in smarter ways?

That legislation has been named after two people—in honor of two people. One is Senator Ted Kaufman, who was JOE BIDEN's successor here. Ted was our Senator here for 2 years following Joe's departure to become Vice President and before CHRIS COONS was elected and joined us here in the Senate. During the 2 years Ted Kaufman was our Senator from Delaware, one of the pieces of legislation he offered was to make possible better transitions, more effective transitions, and smoother transitions from one administration to the other.

Another person who had thought about that a whole lot was a fellow named Mike Leavitt, former Governor of Utah and later a Cabinet Secretary in George W. Bush's administration, and a friend of mine. I succeeded George Voinovich as chairman of the National Governors Association, and Mike Leavitt was the vice chairman, and he then became the chairman. We were all very close friends and colleagues then and right up until George's death.

But we went over, literally, to the President pro tempore's office and signed the documentation. We had Senator Kaufman there, Governor Leavitt there, and we remembered George Voinovich, because when the first version of that legislation was passed, Ted Kaufman was the Democratic lead and George Voinovich was the Republican lead.

That is just one of dozens of examples where he provided leadership for

this country, as he did for Ohio in the roles he held there.

I really loved George Voinovich. I just loved the guy. I think when we think of leaders, sometimes people in leadership positions say to others: Do as I say. George actually said: Do as I do. He was a big believer in leading by example.

The other thing I loved and respected about him was that he was very tenacious. We have all met people who could have done something, gotten something done, and been somebody, and they gave up. They gave up. George never gave up. He was one of those people who, when he knew he was right and he was sure he was right, he never gave up.

Tomorrow, people from all over Ohio—actually from around the country—will gather in Cleveland not far from the home where George and Janet and their family were raised and where they lived for many years—where Janet still lives. It will be sad, but there will also be a sense of joy. There are probably not many good ways to die—but to die at the age of almost 80 and to die in your sleep without pain and suffering, and to have a legacy of wonderful children—children any of us would be proud to call our own—and a bunch of grandchildren—the same thing, whom any of us would be proud to call our own. That is a great legacy if you just stopped right there. But the legacy goes well beyond that in terms of the way Ohio is governed today by Governor John Kasich, who is another close friend.

John Kasich and I came to the House together in 1983, and I am delighted he has had the opportunity to serve as Governor there—a worthy successor to George Voinovich. Frankly, I might add—and I will probably get in trouble with my caucus for saying this—he would have been a great nominee for our friends in the Republican Party. But apparently that is not in the cards.

So I won't go on much further, but when people say bad things about elected officials or unkind things about elected officials, I think it is too bad they didn't know the Presiding Officer and they didn't know George Voinovich, because they wouldn't feel that way if they knew him or had any idea of his commitment and his dedication and his sacrifice and his leadership.

I will close with this. A fellow who used to serve here was a fellow named Alan Simpson. He was a Senator from Wyoming. We remembered him today because he was the coauthor of the Bowles-Simpson plan, the fiscally responsible deficit reduction plan of probably about 6 or 7 years ago. It was established by President Obama. It was a good roadmap then, and I still think it is a good roadmap today. Alan Simpson was the Republican part of that, in tandem with Erskine Bowles.

Alan Simpson used to say a lot of very funny things. He was probably as humorous as anybody who ever served here, but he also said some serious things here too, and one of them reminds me of George Voinovich. Senator Alan Simpson used to talk about integrity, and he would say: Integrity—if you have it, nothing else matters. Integrity—if you don't have it, nothing else matters. Think about that. Integrity, if you have it, nothing else matters. Integrity, if you don't have it, nothing else matters. George Voinovich did not have a partisan bone in his body, but he had a world of integrity—just a world of integrity inside that body of his.

The other thing I would say, I like to think that as important as integrity is—and it is—the other thing that is as critically important for the success of any organization, whether it is a State or county or business or school, this body, the most important ingredient for the success of that entity, any of them, is leadership, principled leadership, committed leadership, enlightened leadership, and George Voinovich embodied those.

So to the people of Delaware who supported—not Delaware. Delaware is a little town just north of Columbus, OH. When I was a student at Ohio State, I used to think Delaware was a town just north of Columbus. I later found out it was a whole State. When I got out of the Navy, I moved there. They were good enough to let me serve in a couple different capacities, including here.

The people of Ohio were smart to elect him and smart to share him with us. We were just blessed that they did that, really blessed that they did that.

I felt the presence of George Voinovich today at our roundtable working on the issues he loved. I felt his presence at the signing ceremony in the President pro tempore's office, when we signed into law the transition legislation he originally cosponsored a number of years ago with Senator Ted Kaufman, and I feel his presence here today, and it is a good presence. While we mourn his loss and his death, we just appreciate so much his life.

9/11 MEMORIAL MUSEUM

Mr. CARPER. Mr. President, on a totally different subject, my wife and I had the opportunity to go to New York last Saturday. We were invited up by our oldest son to visit with him and his roommate. We visited the 9/11 Memorial Museum. For anybody who has a chance to go to New York City and visit that memorial, I urge that they do that. It was a walk back in time to 9/11 and the horrors of that day and the days and the weeks that followed, but out of that terrible disaster, our country came together.

Our country came together in rather remarkable ways. Instead of pointing fingers at each other, we decided to join hands and work together under the leadership of George W. Bush, and we created a 9/11 Commission, chaired by Republican Tom King of New Jersey and cochaired by Lee Hamilton, Congressman from Indiana, former chair of the House Foreign Relations Committee. It was a bipartisan Commission. There were 9 or 11 people. They went to work. They had a great staff, and they worked for months to drill down on what went wrong, what led to 9/11—that catastrophe and how could it happen—and came up with a whole host of recommendations. I think there were about 40 recommendations. They were unanimous. They adopted them unanimously and gave them to us. They came before us and came before our committee, the Committee on Governmental Affairs, and we adopted about 80 percent of them pretty much unanimously. It was a time that rather than us being divided as a country, it was a time we came together on the heels of a terrible disaster.

When I look at the political back and forth that seems to flow out of the tragedy in Orlando and I compare that with what existed when we lost maybe 60 times as many lives 15 years ago, I would hope we would remember, as a people—I hope those of us who serve in this body and those who would like to lead our country will remember the words right over the Presiding Officer's head. I don't know a lot of Latin, but the Latin words inscribed over the chair where the Presiding Officer sits, ''E pluribus unum,'' from many, one. From many, one. We are strong when we are united, and we need to be united just as we were 15 years ago. We need to be united as a nation today. George Voinovich, if he were here, would remind us of that. Since he is not, I wanted to.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. CARPER. Mr. President, I ask unanimous consent that the Senate adjourn under the previous order.

There being no objection, the Senate, at 6:15 p.m., adjourned until Friday, June 17, 2016, at 11 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

KAMALA SHIRIN LAKHDHIR, OF CONNECTICUT, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO MALAYSIA.

ANDREW ROBERT YOUNG, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO BURKINA FASO.

POSTAL REGULATORY COMMISSION

MARK D. ACTON, OF KENTUCKY, TO BE A COMMISSIONER OF THE POSTAL REGULATORY COMMISSION FOR A TERM EXPIRING OCTOBER 14, 2022. (REAPPOINTMENT)

CENTRAL INTELLIGENCE

SHIRLEY WOODWARD, OF VIRGINIA, TO BE INSPECTOR GENERAL, CENTRAL INTELLIGENCE AGENCY, VICE DAVID B. BUCKLEY, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE VICE CHIEF OF STAFF OF THE AIR FORCE AND 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., SECTIONS 8034 AND 601:

To be general

LT. GEN. STEPHEN W. WILSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. VERALINN JAMIESON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

NATHAN J. ABEL
ADAM D. ACKERMAN
JASON M. ADAMS
ROBIN E. ADAMS
JASON M. AFTANAS
ALLEN Y. AGNES
BRADFORD K. AIKENS
MICHAEL JOHN ALBRECHT
SALVADOR ALEMAN
SHANE W. ALFAR
DAVID K. ALLAMANDOLA
SEAN R. AMES
MATTHEW P. ANASTAS
ALISON M. ANDERS
ANDREW D. ANDERSON
DAVID M. ANDERSON
JOHN P. ANDERSON
KEITH M. ANDERSON
MATTHEW K. ANDERSON
ROBERT JAMES ANDREE
SCOTT ANDRESEN
NATHAN P. ANDREWS
IONIO Q. ANDRUS
JUSTIN A. ANHALT
JASON P. ANNIS
TONY S. APONTE
MATTHEW APRICENO
JONATHAN L. ARD
JOSHUA O. ARKI
PAUL M. ARKWELL
GABRIEL S. ARRINGTON
JOHNATHAN M. ARTIS
WILLIAM C. ATKINS
KEVIN P. AUGER
ANDREW J. BABIARZ
CHRISTIAN BACKHAUS
RUSSELL S. BADOWSKI
JONATHAN B. BAIZE
BRADLEY CHARLES BAKER
BRIAN J. BAKER
JACOBY L. BAKER
EDWARD R. BALZER
THOMAS J. BANASZAK
DANE M. BANNACH
GREGORY R. BARBER
RICHARD BARBER
KAREN D. BARBOUR
KIMBERLY N. BARR
ARTHUR C. BARTON
STEVEN F. BARYZA
RUSSELL D. BASTIAN
LUKE A. BATES
BYRON F. BATEY
DANIEL P. BEALL
MEREDITH A. BEAVERS
ANDREW I. BECKETT
CARL F. BECKEY
KENNETH B. BEEBE III
RYAN M. BEHRINGER
GARY SCOTT BEISNER II
KRISTIN A. BEITZ
JOSEPH P. BELLUCCI
DEAR BELOVED
CHRISTOPHER P. BENDIG
JOHN T. BENGTSON
ANDRES BENITEZ
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ERIC D. ROEHRKASSE
LOUIS P. ROGNONI III
ANDREW C. ROLLINS
ADAM H. ROSADO
ROBERT C. ROSEBROUGH
JEFFREY RYAN ROSENBERRY
MATTHEW C. ROSS
TIMOTHY J. ROTT
METODI V. ROULEV
RAYMOND K. ROUNDS
NICHOLAS G. ROWE
KEVIN P. ROWLETTE
EDWIN RUCKWARDT
JULIE ANNE RUDY
JUSTIN R. RUFA
ANDREW D. RULE
RICHARD G. W. RULIFFSON
DAVID G. RUNELS
RAYMOND M. RUSCOE
BRIAN M. RUSSELL
ERIC J. RUSSELL
JERIMIAH D. RUSSIAN
REBECCA F. RUSSO
ETHAN A. RUTELL
JAMES L. RUTLEDGE
KATHERINE ANNE RYAN
SCOTT D. RYDER
ETHAN E. SABIN
JERMAINE S. SAILSMAN
TODD J. SALZWEDEL
GERARDO SANCHEZ
NICHOLAS B. SANDERS
WILLIAM D. SANDERS
CHARLES S. SANDUSKY
JAMES MICHAEL SATTLER
NICHOLAS R. SAUCIER
ZACHARY T. SCHAFFER
KYLE S. SCHLEWINSKY
JOHN W. SCHMIDTKE
KEITH M. SCHNEIDER
CHRISTOPHER A. SCHNIPKE
STEVEN A. SCHNOEBELEN
MICHAEL W. SCHREINER
TYLER B. L. SCHROEDER
DAVID W. SCHUR
LAWRENCE F. SCHUTZ
JOHN R. SCHWARTZ
ERIK W. SCHWARZ
SETH PETER SCHWESINGER
JESSE M. SCOTT
LISA R. SCOTT
MICHAEL D. SEAL
KEVIN A. SEAY
RYAN N. SEEKINS
CHARLES D. SENDRAL
CHAD A. SESSLER
ANAND D. SHAH
THEODORE JOHN SHANKS
CHRISTOPHER MICHAEL SHARP
BENJAMIN A. SHAUB
KELLY W. SHELTON
SAMUAL P. SHIMP
BRANDY ANN SHIRLEY
DENNY R. SHOFNER
BRANDON R. SHROYER
MATTHEW G. SIKKINK
YONG C. SIM
JAMES S. SIMMONS
JASMINE MARIE SIMMS
JONATHAN ALEXANDER SIRARD
THANE A. SISSON
RYAN DANIEL SKAGGS
STEVEN B. SKIPPER
FRANK T. SKRYPAK
ANDREW SLAUGHTER
JON P. SLAUGHTER
RYAN A. SLAUGHTER
JAMES N. SLEAR
JONATHAN M. SLINKARD
DENNIS R. SLOWINSKI
ADAM J. SMITH
ALLEN SMITH
BENJAMIN M. SMITH
CALEB T. SMITH
CHRISTOPHER C. SMITH
GENE T. SMITH
JAMES DANIEL SMITH
JEREMY R. SMITH
LAWRENCE A. SMITH II
PATRICK S. SMITH
RIKKI D. SMITH
RYAN G. SMITH
EDWARD W. SMITHER
JENNIFER JEAN SNOW
SCOTT A. SNYDER
ERIC M. SOBECKI
SARA N. SOMERS
DANIEL K. SORENSON
JUSTIN EDWARD SORICE
ELIZABETH D. SORRELLS
JOHN WILLARD SOUTHARD
JEREMY S. SPARKS
LUCAS D. SPATHES
MICHAEL B. SPECK
ALEC THOMAS SPENCER
DAVID M. P. SPITLER
KATHRYN A. SPRINGER
TODD J. SPRINGER
WESLEY N. SPURLOCK III
ROBERT S. ST CYR
GREGORY R. STACK
CARRIE R. STAFFORD
BENJAMIN G. STALLARD
RYAN L. STALLSWORTH
LEE W. STANFORD
TODD EDWARD STANIEWICZ
JOSHUA P. STANTON
SHAWN M. STAPPEN
NIKOLAOS P. STATHOPOULOS
ADAM R. STAUBACH
RYAN L. STEBBINS
GREGORY M. STEENBERGE
EDWARD R. STEINFORT
ADRAIN E. STEMPLE II
MICHELLE L. STERLING
SHAWN P. STERMER
DAVID B. STEVENSON
MARCUS U. STEVENSON
ANDREW B. STEWART
GRAHAM R. STEWART
JAYSON STEWART
TONY J. STIBRAL
BRIAN A. STILES
MICHAEL T. STONE
SAMMY E. STOVER
MICHAEL K. STREET
AARON JOSEPH STRODE
NATHAN C. STUCKEY
MATTHEW P. STUECK
ROBERT W. STURGILL, JR.
MICHAEL WILLIAM SUDEN
MATTHEW SUHRE
FWAMAY L. SULLIVAN
THOMAS RICHARD SULLIVAN
KONSTANTIN SVERKOUNOV
JOHN R. SWANSON
PETER M. SWEENEY
KYLE A. SWOPE
ADAM N. SYLVAN
DEREK J. SYSWERDA
GIORGIO AUGUSTIN SZABO
JOHN T. SZCZEPANSKI
KYLE A. TAKAMURA
BRIAN C. TALIAFERRO
JUSTIN M. TARLTON
EDWARD R. TAYLOR
MATTHEW SCOTT TAYLOR
MICHELLE L. TAYLOR
TIFFANY S. TAYLOR
TIMOTHY A. TENDALL
CHRISTOPHER J. TERRY
CHRISTOPHER M. THACKABERRY
MILES PEYTON THAEMERT
RYAN JAMES THEISEN
FRANK A. THEISING
GREGORY C. THERIOT
MARY A. THIGPEN
DUSTIN T. THOMAS
JEROME SAMUAL TERRELL THOMAS
KELIE A. THOMAS
STEVEN C. THOMAS
LINWOOD A. THOMPSON
MICHAEL J. THOMPSON
ROBERT E. THOMPSON
MATTHEW B. THRIFT
RYAN C. THULIN

CHRISTOPHER A. THUOTTE
RENEE Z. THUOTTE
ANDREW CHARLES TIDGEWELL
AARON P. TILLMAN
NELSON E. TIRADO
WENDELL R. TONEY
LEONARDO A. TONGKO
ELIUD E. TORRES
STEPHEN A. TOTH
JONATHAN M. TOWNSEND
JOHN M. TRAVIESO
CATHERINE J. TREDWAY
CHARLES M. TRICKEY
STEVEN E. TRNKA
DAVID D. TROXELL
CHRISTOPHER M. TROYER
STEVEN A. TRUEBLOOD
MAUREEN A. TRUJILLO
BRENT GERALD TSCHIKOF
REBECCA A. TUBMAN
JASON L. TUCKER
BRYAN BERFENTI TUINMAN
GRANT M. TULLIUS
MICHAEL R. TURNER
RICHARD J. TURNER
JAMES M. TUTHILL
JOSEPH BRIAN TUZZOLINO
MARK ALLEN TYLER
RYAN T. TYPOLT
FRANCIS C. TYSON IV
CHRISTOPHER D. UHLAND
ANDREW GALO ULAT
DAVID B. UNDEUTSCH
CASEY L. UTTERBACK
ANDREW J. VAIL
MARKYVES J. VALENTIN
JOSEPH S. VALENTINO
JAMES M. VALPIANI
GREGORY K. VAN DYK
PETER A. VANAGAS
MATTHEW J. VANGILDER
DONALD E. VANSLYKE
DANIEL MOISES VEGA
GREGORY A. VICE
MATTHEW BENJAMIN VICKERS
JESSE O. VIG
MICHAEL A. VOLKERDING
STACIE L. VOORHEES
DREW T. J. VOSS
NATHAN P. VOSTERS
CHRISTOPHER MICHAEL WADDELL
KRISTOPHER L. WAECHTER
RUSSELL E. WAIGHT
RYAN G. WALINSKI
EDWARD Y. WALKER
HUGH E. WALKER III
JASON DOUGLAS WALKER
KRYSTAL M. WALKER
VIRGINIA S. WALKER
WILLIAM M. WALKER II
JAMES A. WALL
JOHN D. WALLACE
JONATHON C. WALLER
KEVIN WALSH
THOMAS ALAN WALSH
DANIEL P. WALTERS
ANDRE M. WALTON
LAWRENCE C. WARE
RYAN B. WARTMAN
DANIEL C. WASSMUTH
ZACHARY R. WATERMAN
JOSHUA CHRISTMAN WATKINS
WILLIAM J. WATKINS
JONATHAN N. WATSON
JOSEPH A. WATSON
TODD MICHAEL WATSON
KEVIN L. WATTS
BEACHER R. WEBB III
BRIAN RICHARD WEBB
JASON D. WEBB
MICHAEL L. WEBBER
BRIAN E. WEBSTER
CHRISTOPHER J. WEDEWER
SCOTT ALLEN WEED
AARON W. WEEDMAN
PAUL R. WEME
HEATHER A. WEMPE
DANIELLE D. WEMYSS
MATTHEW J. WEMYSS
MICHAEL F. WENDELKEN
BRANDON D. WENGERT
JAMES T. WESTFALL
JACOB M. WESTWOOD
TYSON KRISTOPHER WETZEL
PHILLIP A. WHEELER
MARK D. WHISLER
GEOFFREY N. WHITAKER
JONATHAN L. WHITAKER
JOSHUA T. WHITE
KEITH S. WHITE
KEVIN E. WHITE
MARCUS J. WHITE
THOMAS D. WHITE
TIM RAY WHITELOCK
BISHANE ANTHONY WHITMORE
JONATHAN L. WHITTAKER
DANIEL PHILLIP WIESNER
JOSHUA D. WIITALA
MATTHEW S. WILCOXEN
JOSHUA D. WILD
BROOKS A. WILKERSON
DAVID S. WILLIAMS
JUSTIN J. WILLIAMS
KEVIN CHARLES WILLIAMS, JR.
DANIEL CLYDE WILLIS
WARD G. WILLIS
CARL B. WILSON
CHIRIGA O. WILSON
DAVID C. WILSON
NEAL M. WILSON
RICHARD N. WINFREY, JR.
CHRISTOPHER L. WINKLEPLECK
ALEXANDER D. WINN
NICHOLAS G. WISNEWSKI
WARREN ERIC WITHROW
PATRICK WOLVERTON
RYAN T. WONG
CHRISTOPHER C. WOOD
JASON LEWIS WOODRUFF
ABRAM M. WOODY
GREGORY A. WOOLEY
SCOTT P. WUENSTEL
WILLIAM L. WUNSCHEL
LAWRENCE WYATT, JR.
MING XU
AARON M. YAGER
VUE YANG
ALAN YEE
CHRISTOPHER W. YENGO
MICHAEL D. YOUNG
BENJAMIN D. YOUNGQUIST
PETER D. YULE
DENNIS A. ZABKA
MATTHEW D. ZAKRI
JOSE L. ZAMBRANO
ARIC L. ZEESE
BAI LAN ZHU

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

DANIEL J. BESSMER
IMELDA M. CATALASAN
ANDREW A. CRUZ
DAVID H. DICKEY
MARK R. DUFFY
MELANIE J. ELLIS
LARRY S. KROLL
MARTIN W. LAFRANCE
DAVID J. LINKH
CHERIE ANNE C. MAUNTEL
MICHAEL B. PEAKE
SCOTT M. SONNEK
CHRISTINE L. STABILE
BERNARD L. VANPELT
CHRISTIE BARTON WALTON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

DAVID B. BARKER
DANISHIA A. BARTON
MELISSA J. BEASLEY
RANDOLPH T. BOSCH
JAMES M. CAMILLERI
BRIAN M. CARUTHERS
MARIABETHY PULIDO CASH
JOSHUA S. CURTIS
KELLY LYNN DETERING
JOI BLYTHE DOZIER
IAN C. ERSKINE
DAVID A. FERGUSON
STEVEN M. FOX
RYAN A. GABEL
EMIRZA G. GRADIZ
LISA FLORES GUZMAN
FRED L. HARRIS
ADAM G. HENSON
KIRK D. HUNTSMAN
PERRY J. JOHNS
VANESSA A. JOHNSON
ALEXEI KAMBALOV
SYLVIA CHIHYUN KIM
JOSHUA J. LESLIE
WENDY J. MORENO
LINDSEY KAY OLESON
JOSHUA D. PETER
KEVIN S. RAMSEY
DANIEL J. RIVAS
TODD M. ROMAN
JOSEPH H. ROUNTREE
TANYA M. SIMULICK
STATWELL G. SINCLAIR, JR.
JAMES A. STEWART
LEWIS RANDOLPH TAYLOR
THOMAS JASON TELFER
ALISON M. THOMAS
JASON T. TOMPKINS
NEVA J. VANDERSCHAEGEN
GLORIA JEN WALSKI
TOBIE A. WETHINGTON
JOCELYN M. WHALEN
TANYA R. YELVERTON
ANGELA M. YUHAS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

EBON S. ALLEY
JEFFREY D. ANDREOLI
JOHN C. BATKA
PAUL W. BOTT
MEGAN S. BRANDT
ROBERT S. BROWN
KAREN J. BUIKEMA
BELINDA F. COLE
WARREN G. CONROW
SCOTT A. COREY
JAMIE D. CORNETT
AMANDA L. DENTON
MATTHEW R. FERRERI
JENNIFER M. GIOVANNETTI
ELISA AMANTIAD HAMMER
JARRETT R. JACK
PAUL Y. KIM
ADAM B. KLEMENS
KEYE S. LATIMER
JUNG B. LEE
MONIKA LUNN
TRAVIS J. MEIDINGER
MIKEL M. MERRITT
CAROLANN MILLER
JEFFREY A. NEWSOM
CHRISTOPHER S. PECHACEK
JOSEPH N. PUGLIESE
CHRISTOPHER M. PUTNAM
CARY C. REGISTER
ALLISON R. ROGERS
TOMAO L. ROSE
ELLEN A. ROSKA
EMBER RYALS
SEAN D. SARSFIELD
JASON B. SHIRAH
JENNIFER L. SHIRLEY
JOHN E. STUBBS
TISHA D. SUTTON
BRIAN K. SYDNOR
MATTHEW T. TARANTO
CHRISTINE L. TOLBERT
CHARLES B. TOTH
DAVID E. WAGNER
ERICH W. WANAGAT
DANIEL J. WATSON
AARON D. WEAVER
DAVID C. WRIGHT
RICHARD Y. K. YOO
KENDRA S. ZBIR

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

OLUJIMISOLA M. ADELANI
JOSHUA P. ADILI
DANIELLE N. ANDERSON
SCOTT R. ANDERSON
ERIN D. ARCHER
RICHARD S. BAKER, JR.
SCOTT A. BAKER
JEFFREY N. BARNES
TIMOTHY W. BATTEN
NIKKI L. BEADLE
SEAN W. BERENSEN
MARCUS B. BOONE
JOANNA BORAWSKI
ANDREW J. BOSTIC
JOHN A. BOUCHARD
TIFFANY A. BRAKEFIELD
CRYSTAL A. BROWN SCOTT
CODY R. BUTLER
DANIELLE BUTLER
RYAN D. BUTTON
NICOLE M. CAMPBELL
GABRIEL A. CANTU
DANIEL E. CATRAMBONE
LEAH D. CHAPMAN
TODD J. CHRISTENSEN
LEVI E. COLE
DEBORAH E. COLON
PATRICK D. CORDING
AMILEAH R. DAVIS
MINDY A. DAVIS
NANCY B. DELANEY
NICOLE C. DJANBATIAN
JOHN S. DOLESKI
ALICIA M. DUDLEY
KYLE HUNTER EAST
RYAN G. EISWERTH
IRENA F. FARLIK
RUDOLPH T. FRANCIN
SHARA N. FRANCIN
SHEONTEE C. FRANK
SHELTON J. FRASER
LESLEY ANN FRIEDHOFF
IVETH A. GALVEZ GUZMAN
JASON M. GARCIA
RYAN G. GARRISON
BRIANNE J. GEORGE
TIMOTHY R. GEORGE
JULIANNE J. GILLESPIE
JOSEPH GITERSONKE
NATHAN W. GOEKE
JOSHUA M. HALL
CHASE M. HAMILTON
ROCHELLE K. HASE
GLORIA J. HEATER
JEFFREY R. HERCHLER
CHRISTOPHER G. HERMAN
EMILY N. HEWETT
BRANDON M. HEY
RODNEY A. HO, JR.
ADAM M. HOLLINGSWORTH
CHARLES R. HOLT III
NATHAN H. HOWARTH
MICHAEL J. HSU
DANA M. HUBBARD
STEVEN M. HYER
ADAM P. IRVIN
KAMY C. JENKINS
DAVID M. JOHNSON
LAURA E. JOHNSON
PHILLIP J. KARSEN
ROBERT S. KENNEDY
ERIC J. KIRWAN
MICHAEL R. KLINGSHIRN

MARQUITA F. KNIGHT
SHAWN P. KNIGHT
SARA E. KOEPKE
BENJAMIN F. KOLLE
NATHAN A. KRZYANIAK
KATHIUSKA M. LAMBRODRIGUEZ
JAMES HAROLD LANDSBERGER
KIMBERLY A. LANE
GREGORY J. LATHBURY
RYAN M. LEPPERT
MAIRA G. MALHABOUR
BRYDON K. MANNING
DANIEL MARCIEL
MARGARET E. MARTIN
JOHN W. MARUHN
JONATHAN B. MCQUAIG
PATRICK M. MEADE
JULIE L. MENEGAY
JACOB A. MOCK
JAMES NATHANAEL MOORE
PATRICK M. MUDIMBI
MAYRIN C. MUNGUIA
GERALD J. NOVACK
KATHRYN H. OJA
ERIC A. OWENS
BECKY L. PEDERSON
DANIELLE N. PENDER
VICTOR I. PERRI, JR.
JULIANNA M. PETRONE
JOHN P. PISTELLO
JESSICA H. RACKLEY
JAMES W. RAFINER
TIMOTHY E. RALSTON
KARLA J. RAMIREZVIGIL
KIMBERLY M. RANIERI
KRISTEN E. REDD
ELLIOT N. REED
PRESTON CARNELL REED
ERICA N. ROBINSON
AMBER N. RODGERS
MICHELLE M. RODRIGUEZ
MELANIE R. ROSERIE
JESSICA J. SAN FELIPPO
TRAVIS W. SCHMITT
ANDREA B. SCHULTZ
DANNY A. SECOR
RYAN B. SHAVER
MICHAEL A. SHAW
HEIDI L. SHELSTAD
JORDAN L. SIMONSON
TREVOR W. SLEIGHT
TIFFANY V. SOMMERS
NATHAN VINCENT STAFFORD
NICHOLAS ALLYN STASSEN
CHARU STOKES WILLIAMS
JAMES GAYLE STOUFFLET, JR.
STELA S. STRILIGAS
MICHAEL P. SWEENEY
JUSTIN C. SZAJNECKI
JOYANNE E. TESEI
HEATHER M. TEVEBAUGH
KATHRYN MARIE TIDWELL
JOSHUA J. VAN WYNGAARDEN
SEE S. VANG
MICHAEL A. VERNALE
JERRY V. WALKER III
AMANDA R. WALSH
JENNIFER P. WANG
MADELYN F. WAYCHOFF
BRIAN J. WELCH
BRIAN HUNTER WELLS
JUSTIN G. WHITAKER
RACHEL E. WILEY
RYAN W. WILKES
ANN E. WILKINS
JOSHUA D. WILSON
LORA WOLSKI
HUETTE C. WONG
JAMIE MEREDITH WOODSON
KELLIE J. ZENTZ

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be major

BRIAN C. GARVER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

EDWARD J. FISHER

IN THE NAVY

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

THOMAS W. LUTON