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House of Representatives

The House was not in session today. Its next meeting will be held on Saturday, April 8, 2017, at 11 a.m.

Senate

FRIDAY, APRIL 7, 2017

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

PRAYER

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

Let us pray.

Lord God of Hosts, be with us yet, lest we forget that our work on Capitol Hill matters to Your Kingdom.

Lord, with the military response against Syria, we are reminded again that eternal vigilance is the price for freedom. Continue to provide our lawmakers with opportunities to serve Your purposes on Earth.

May they take seriously the responsibilities entrusted to them in their stewardship of the legislative branch. Remind them that You know the pressures they must confront as they strive to serve You and country. Bestow upon them the blessing of Your presence that will guard their hearts with Your peace.

Lord, give them the confidence that, in following You, they can be certain of ultimate triumph.

We pray in Your Holy 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 MAJORITY LEADER

The PRESIDING OFFICER (Mrs. CAPITO). The majority leader is recognized.

SYRIA

Mr. MCCONNELL. Madam President, last evening the Vice President notified me of the President's decision to respond to the Syrian regime's use of chemical weapons against its own people through military action. The action was taken to deter the Assad regime from using chemical weapons again.

I support both the action and the objective. The planning of this operation was clearly well considered. It was taken against the Shayrat airfield from which the aircraft used in the attack had been launched, where chemical weapons had been stored, and was taken against assets of importance to the regime—aircraft, hardened shelters, and air defense systems.

In the days ahead, I am committed to working with the administration to continue developing a counter-ISIL strategy that hastens the defeat of ISIL and establishes objectives for dealing with the Assad regime in a manner that preserves the institutions of government in an effort to prevent a failed state.

Our gratitude goes out to the world's most capable military, which in a span of just hours presented options, capabilities, and plans to the Commander in Chief and then executed a difficult mission. None of this occurs without years of training, investment, and the dedication by our servicemembers.

This was an action of consequence. It is a clear signal from America that Bashar al-Assad can no longer use chemical weapons against his own people with impunity.

In addition, for the attention of all Senators, we will have a briefing on this matter later today.

NOMINATION OF NEIL GORSUCH

Mr. MCCONNELL. Madam President, yesterday, as we all know, was a consequential day for the Senate. In the end, we restored to this body a tradition that Democrats first upset in 2003 by using a tool Democrats first employed in 2013. As a result, we will move to the confirmation of Judge Gorsuch shortly. He is going to make an incredible addition to the Court. He is going to make the American people proud.

After all, at this point, a few things about this man seem beyond dispute. He has sterling credentials, an excellent record, and an ideal judicial temperament. He has independence of mind and a reputation for fairness. He has also earned plaudits from so many across the political spectrum.

President Obama's former Acting Solicitor General lauded Judge Gorsuch as ''one of the most thoughtful and brilliant judges to have served our nation over the last century,'' while President Obama's legal mentor called Judge Gorsuch a ''brilliant, terrific guy who would do the Court's work with distinction.''

An appointee of President Clinton's, Judge James Robertson, said Judge Gorsuch ''is superbly well prepared and

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

well qualified to serve as an associate justice of the Supreme Court. There is no real dispute about that.''

An appointee of President Carter's, Judge John Kane, perhaps summed it up best when he said: ''I'm not sure we could expect better [than Judge Gorsuch] or that better presently exists.'' In other words, no one is better.

Of course, we all know what longtime Democrat and board member of the left-leaning American Constitution Society, David Frederick, had to say about Judge Gorsuch. ''The Senate should confirm him, because there is no principled reason to vote no''—''no principled reason to vote no.''

There is a reason Neil Gorsuch enjoys the support of a bipartisan majority of the Senate. There is a reason that a bipartisan majority stands ready to confirm him today. He is an exceptional choice, and I am very much looking forward to confirming him today. Of course, I wish that important aspect of this process had played out differently. It didn't have to be this way. But today is a new day. I hope my Democratic friends will take this moment to reflect and, perhaps, consider a turning point in their outlook going forward.

The Senate has a number of important issues to consider in the coming months. Each Member, if he or she chooses, can play a critical part in that process.

I urge colleagues to consider the role they can play, and I ask them to consider what we have been able to achieve in years past by working together, including the numerous bipartisan accomplishments of the last Congress, because, as we all know, the Senate does more than confirm Supreme Court nominees, although I sure am looking forward to confirming this one.

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the Gorsuch nomination, which the clerk will report.

The legislative clerk read the nomination of Neil M. Gorsuch, of Colorado, to be an Associate Justice of the Supreme Court of the United States.

The PRESIDING OFFICER. Under the previous order, there will now be 2 hours of debate, equally divided in the usual form.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

Mr. SCHUMER. Madam President, first, let me address the nomination of Judge Gorsuch, which will soon proceed to a final vote over the objection of we Democrats. Even though Democrats had principled reasons to oppose this judge, even though we offered many times to meet with the majority to discuss a new nominee and a way forward, the Republicans chose to break the rules and erase the 60-vote threshold for all judicial nominees. They had many options, and they chose, unfortunately, the nuclear option.

I believe it will make this body a more partisan place, it will make the cooling saucer of the Senate considerably hotter, and I believe it will make the Supreme Court a more partisan place. As a result, America's faith in the integrity of the Court and their trust in the basic impartiality of the law will suffer. Those are serious things for this Republic. Prior to yesterday's cloture vote, I shared my views on this moment at length, and I will let those comments stand in the RECORD.

As I have said repeatedly over the last week, week and a half, let us go no further down this road. I hope the Republican leader and I can, in the coming months, find a way to build a firewall around the legislative filibuster, which is the most important distinction between the Senate and the House. Without the 60-vote threshold for legislation, the Senate becomes a majoritarian institution like the House, much more subject to the winds of short-term electoral change. No Senator would like to see that happen so let's find a way to further protect the 60-vote rule for legislation.

Since he will soon become the ninth Justice on the Court, I hope Judge Gorsuch has listened to our debate in the Senate, particularly our concerns about the Supreme Court increasingly drifting toward becoming a more procorporate Court that favors employers, corporations, and special interests over working America.

We all know there is an anger and sourness in the land because average people aren't getting a fair shake compared to the powerful. In many cases, the Supreme Court is the last resort for everyday Americans who are seeking fairness and justice against forces much larger than themselves. At a time when folks are struggling to stay in the middle class and are struggling as hard as ever to get into the middle class, we need a Justice on the Court who will help swing it back in the direction of the people.

So we are charging Judge Gorsuch to be the independent and fairminded Justice America badly needs. If he is, instead, a Justice for the Federalist Society and the Heritage Foundation, that will spell trouble for America.

SYRIA

Finally, Madam President, on Syria, I salute the professionalism and skill of our Armed Forces that took action last night. The people of Syria have suffered untold horrors and violence at the hands of Bashar al-Assad and his supporters in Tehran and in Putin's Russia. Making sure Assad knows when he commits such despicable atrocities he will pay a price is the right thing to do. However, it is now incumbent on the Trump administration to come up with a coherent strategy and consult with Congress before implementing it.

Madam President, 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. BLUNT. 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. BLUNT. Madam President, I want to talk about what we are doing today and how important it is, how unique it is in the history of the country. Since 1789, 112 people have served on the Supreme Court. It is hard not to be reminded today, as we vote for the replacement for Justice Scalia, that he served on the Court for 26 years after Ronald Reagan, who appointed him, left the White House and 13 years after President Reagan died. Clearly, the impact of a Supreme Court nomination by the President and confirmation by the Senate is one of those things that has the potential to last long beyond either the service of those in the Senate at the time or beyond those of the President at the time. It is a significant decision.

A Federal Court appointment, generally an appointment for life, is different than an appointment for someone who serves during the tenure of the President. I think almost all of us look at judicial appointments differently than we look at Cabinet appointments and other appointments that are concurrent with the President's term. This is an appointment that lasts as long as the judge is willing to serve and able to serve.

At 49 years old, Judge Gorsuch, who has already been a judge for 10 years, should know whether he likes being a judge. It would appear, and we would hope, he will have a long and healthy life to use his skills on the Court. I think those skills are very obvious in the over 2,000 decisions he has been part of, of the 800 decisions he has written as a circuit judge, the appeals judge above other Federal judges and right below the Supreme Court.

So he is someone who comes to this job understanding the job, with a significant body of work that the Senate has had plenty of time to look at and the President had time to look at before this nomination was made. In those 800 opinions Judge Gorsuch has written, he has been overturned by the Court he will now sit on, the U.S. Supreme Court, exactly 1 time. That is an incredible average of decisionmaking if 1 of 800 times is the only time a court that is the court of appeals for you, the Supreme Court in this case, decides that your decision did not meet their view. Now, that does not mean that your decision did not meet your view of the law, if you are Judge Gorsuch, or your view of the Constitution. Of course, both of those things, after today—his view of the law, his view of how you apply the law—will go to the Court with him.

At the White House event where his nomination was announced, Judge Gorsuch said that a good judge is not always happy with his opinions. Now, what would that mean? I thought that was very reassuring in the sense that his job as a judge is to read the law, to look at the Constitution, and to determine how the facts of the case meet the reality of the law.

One of the things that makes this a great country to live in, a great country to work in, and a great country to take a chance in is the one thing you can rely on, hopefully—the rule of law. The one thing you can rely on, when good lawyers read the law, is that they all understand it to mean the same thing, and you move forward with whatever decision you make on that. What Judge Gorsuch was saying was that personal opinions are not always satisfied by reading the law. What he also, I think, reflects is a view that the law is what the law was intended to mean at the time.

There are ways to change the law. If the country has changed, if the world has changed, if circumstances have changed, there are ways to change the law, and that is our job. That is not the job of any Federal judges anywhere, including on the Supreme Court. Their job is to determine what the law was intended to mean when it was written, and their job is to determine what the Constitution was intended to mean when it was written. Everything the Constitution intended was not what we would want to live with today, and that is why we have that long list of amendments, starting with the Bill of Rights.

Even immediately, the people who wrote the Constitution said that we have to add some things to this because this does not mean what we really want it to mean as it is applied. So you get the Bill of Rights. Yet that is not the job of the Court. It is the job of the Congress to pass laws, the President to do his job of vetoing and sending those laws back or of signing them into law. The Court's job is what Judge Gorsuch understands it to be.

He said in his hearings: I have one client, and that client is the law. That client is not either party appearing before the Court. That client is not the government. That client is the law. I think he also said that judges are not politicians in robes.

We have a job to do that is different than the job of the Court, and I think, as we send Judge Gorsuch to the Court today—to be the 113th person in the history of the country to serve on the Court—we send a person who has an understanding of what a judge should do. Most Americans, when they think about what the Court is supposed to do, would clearly understand that is the job of the Court. There are other jobs to be done, and they are to be done in other places. I think he will be a great addition to the Court with his 10 years of experience as a judge and as the judge that other Federal judges' cases are appealed to. What great training he has had to get ready for the Court.

Then, of course, to get this job done, we had to return to the traditional standard that has always been the standard in the country, until the last few years, as to how Presidential nominations are dealt with. It is easy to confuse, I think, the unique role of the Senate in its having some barriers that the House does not have with regard to advancing legislation. Since, basically, 1789, that has been applied to legislation. The Senate has always seen its job as wanting to be sure the minority is heard before we move forward. Yet, starting in 1789, there was never a supermajority for Presidential nominations, whether it was to the Cabinet or the Court.

It is impossible to find, even before 1968, any case in which the Senate came together and said: We are officially going to decide that we are not going to have a vote on this judge. Now, not every judge got a vote, but when every judge got a vote, a majority of Senators determined whether that judge would go on the Court or not. Two members of the Court today did not get 60 votes. Clarence Thomas got 52 votes, and I think Judge Alito got 58 votes. Two members did not get 60 votes, but nobody thought they needed 60 votes because that had never been part of the structure of how judges got on the Court.

I think what we have done this week is return the Senate to, essentially, the practice on Presidential nominees that for 214 years was the way nominees were always dealt with.

In 2013, the Senate was controlled by our friends on the other side of the aisle. With the roughly 1,250 to 1,300 Presidential nominations, they decided that every nomination that was available to them—for every judge where there was a vacancy, for every person where the President might have had a vacancy to fill—would be determined by a simple majority. From that moment on, everybody, I think, should not have been surprised, when we eventually had a Supreme Court vacancy—and this is the first one since that happened—that whoever was in charge would extend that same majority to the Supreme Court. Now all Presidential nominees are back to where they had been for 214 years.

I heard the minority leader—I heard my friend Mr. SCHUMER—talk about the importance of our recommitting ourselves to the protections for the minority in passing legislation. I think we can do that. Frankly, this exercise of refreshing our minds as to how legislation has always been handled in that way, I believe, has probably created a greater commitment to that—to the legislative supermajority to move forward with debate—than we have had for a while.

I think the leader of our friends on the other side and certainly the leader on our side have both said nobody is willing to back down on the challenges the Senate faces when we are required to come together to get things done.

The Senate is unique. Essentially, it takes 6 years for every Senator to run for election. After some new sense of the direction of the country occurs, voters basically have to say again and again and maybe a third time: No, we really want to change the way the country has run up until now. Quick decisions are not necessarily the best decisions in a democracy, and in our democracy, this institution—the Senate—is the legislative institution that determines that there is a necessary either coming together of the people who are here at the time or for voters to say at another time: No, you did not get it the first time, and we are sending different people because we really want to make this change.

I think the vote today and the traditions of the country send that 113th person into the history of America to serve a lifetime term on the Court. I am confident the President's nominee and the Senate's decision to send that nominee to the Court sends a good person to the Court with a good understanding of what the Supreme Court of the United States is supposed to be. His job is not to look at the law and try to determine what it should have said or to look at the Constitution and determine what it should have said but rather to look at the law and the Constitution and determine what they say.

Judge Gorsuch, as well as any person who has ever appeared before the Senate to stand available for that job, understands that principle, will take that principle to the Court, will work with his colleagues, as he has on the Tenth Circuit, in order to rally around what the law says and what people can rely on in a country where our freedoms should be secure and where we should know that the courts are there to determine what is right in any given case, not what the judges think would be their ideas of what would be right.

I look forward to the vote later this morning and to seeing Judge Gorsuch be sworn in as a member of the Court sometime in the very near future.

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. MCCAIN. 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. MCCAIN. Madam President, I rise today in support of the nomination and the confirmation of Judge Neil Gorsuch to the U.S. Supreme Court. I do so with mixed emotions because I believe that the actions taken in order to achieve this position will have lasting effects that are unfortunate on this body as far as comity is concerned, but also the confirmation of future judges of the Supreme Court by 51 votes. Rather than go back through the history of what former Majority Leader Reid did in regard to judges and what we are doing now, I am very concerned about the future which will then, with only a 51-vote majority required, lead to polarization of the nominees as far as their philosophies are concerned when the majority does not have to consider the concerns and the votes of the minority.

With my focus on Democrats' unprecedented filibuster of Judge Gorsuch's nomination to the U.S. Supreme Court and the Senate's regrettable action yesterday to invoke the nuclear option on Supreme Court nominees, I have been remiss in not taking the time to describe for the American people why I support strongly and without qualification confirming Judge Gorsuch to serve as an Associate Justice of the U.S. Supreme Court.

Why I do so is very simple. Rarely has this body seen a nominee to the Supreme Court so well qualified, so skilled, with such command of constitutional jurisprudence, with such an established record of independence and such judicial temperament as Judge Gorsuch. It is, in fact, exactly for these very reasons that this very body unanimously voted in 2006 to confirm this very judge—this same judge—to the U.S. Court of Appeals for the Tenth Circuit. Yet, now, the other side would have the American people believe that this very same judge lies firmly outside the mainstream and is, therefore, otherwise unacceptable to serve in the Nation's highest Court. Even by the standards of this body, this sophistry is breathtaking.

Let me take a moment to join the chorus of support of my colleagues and recount why Judge Gorsuch is so deserving of this body's support for confirmation to the Supreme Court.

First and foremost, Judge Gorsuch is a world-class judge. On the U.S. Appellate Court for the Tenth Circuit, Judge Gorsuch has maintained the lowest rating of other judges dissenting from his opinion. Indeed, according to the Congressional Research Service, only 1.5 percent of Judge Gorsuch's majority opinions were accompanied by a dissent—the lowest of any judge in that study. Notably, the U.S. Supreme Court has never overruled any of Judge Gorsuch's opinions—not a single one. Furthermore, in the more than 2,700 cases Judge Gorsuch participated in, 97 percent of them were decided unanimously, and Judge Gorsuch was in the majority 99 percent of the time. These are facts. In addition, the U.S. Supreme Court overruled an opinion where Judge Gorsuch sat on a panel only one time.

While serving on that court, Judge Gorsuch built an exceptional reputation for his fair-minded, articulate, and sharp intellect. Stanford Professor Michael McConnell, who served with Judge Gorsuch on the Tenth Circuit, characterized Judge Gorsuch as ''an independent thinker, never a party liner'' and ''one of the best writers in the judiciary today. . . . [H]e sets forth all positions fairly and gives real reasons—not just conclusions—for siding with one and rejecting the other.''

Second, Judge Gorsuch has one of the most impressive professional and academic backgrounds this body has ever seen. He graduated from Columbia cum laude and Phi Beta Kappa and cum laude from Harvard Law School. He also obtained a doctorate degree in philosophy from Oxford University and served as a Truman and Marshall Scholar. Additionally, he served for U.S. Circuit Court Judge David Sentelle, Supreme Court Justices Byron White and Anthony Kennedy. Judge Gorsuch also served as Principal Deputy Assistant Attorney General at the Department of Justice before serving as a judge on the U.S. Court of Appeals for the Tenth Circuit.

For all of these achievements, Judge Gorsuch has earned the highest possible rating from a group Minority Leader SCHUMER calls the ''gold standard'' for evaluating judicial nominations.

Finally, Judge Gorsuch has established himself as an exceptional nominee. Indeed, Judge Gorsuch's appearance before the Senate Judiciary Committee was extraordinary. In the course of the three rounds of questioning by that committee, each Member had the opportunity to quiz Judge Gorsuch for over an hour each on just about every aspect of constitutional law. In answering about 1,200 questions from the panel, he demonstrated almost peerless mastery over that field.

Furthermore, Judge Gorsuch's nomination, with the help of my friend and former member of this body Kelly Ayotte, was exemplary in its transparency. Before his hearing, and in response to the Judiciary Committee's requests, Judge Gorsuch provided over 70 pages of written answers about his personal record and over 75,000 pages of documents, including speeches, case briefs, and opinions—which, by the way, makes you wonder why he wanted the job. Anyway, White House archives and the Department of Justice similarly produced over 180,000 pages of documents related to Judge Gorsuch's time at the DOJ. The Department of Justice, moreover, provided access to reams of documents that would ordinarily be subject to claims of privilege. However, in the spirit of cooperation and in the hope of truly bipartisan consideration, the Department of Justice provided my friends on the other side access to these records anyway.

Additionally, in response to almost 300 separate questions posed by Democrats on the committee, Judge Gorsuch provided another 70 pages of written responses, and did so within a week of receiving them, to give my friends sufficient time to review the answers before the committee voted for consideration of his nomination.

Despite all of that I just said—despite everything that I just said, my friends on the other side would have the American people believe that Judge Gorsuch lies firmly out of the mainstream and hopelessly obfuscated his judicial philosophy.

My friends, when you do that with an individual that qualified, you lose credibility.

For all of the reasons I just went through, that is simply untrue. Moreover, when many of my friends on the other side had the opportunity to question Judge Gorsuch over the 20 hours they had with him during his confirmation hearing, they contented themselves with asking Judge Gorsuch for his personal opinions on issues that could come before him if he is confirmed to the Court. In addition, they passed hypotheticals they knew he, for ethical and prudential reasons, could not possibly be expected to answer.

Here is some straight talk. The real reason most of my friends on the other side opposed Judge Gorsuch's confirmation is that President Trump nominated him—because their base of support and related special interests on the far left have been upset about President Trump's election in November. The fact is that if most of my friends on the other side of the aisle are opposed to this nominee, they will oppose any nominee put forward by this President, or any Republican President, for that matter.

The record is clear. Judge Gorsuch's qualifications, knowledge, skill, judicial temperament, and record of independence are truly exceptional. For these reasons, he has earned my strong and unqualified support for his confirmation to the Nation's highest Court.

Could I just make one additional comment, and I know my friend from Utah is waiting. When President Obama and Presidents before him were elected from both parties, it was pretty much the standard procedure here in the U.S. Senate to give the incoming President the benefit of the doubt. In other words, the American people, by electing a President of the United States, had also basically endorsed his responsibility and his right to nominate judges to the courts. That is just

sort of a given, because the American people spoke in their selection of the President of the United States, taking into consideration those responsibilities the President would have. So, therefore, for those reasons, I voted for most of President Obama's nominees, as I did most of President Clinton's nominees. Now we are in a position where we are so polarized that even a man of the qualifications of Judge Gorsuch is now opposed by our friends on the other side of the aisle.

I say to my friends on the other side of the aisle, and I say to my friends on this side of the aisle: That is not the way the Senate was designed to work. The Senate was designed for us to communicate, for us to work together, for us to understand the results and repercussions of a free and fair election. It is about time we sat down together and tried to do some things for the American people in a bipartisan fashion. This near-hysterical opposition that I see from my friends on the other side of the aisle does not bode well for what we know we need to do.

Madam President, I recognize the presence of the distinguished Senator from Utah, and I say ''distinguished'' because both he and I are of advanced age.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I really appreciate my colleague for his comments. He is one of the great Senators here, and we all pay attention to what he has to say, especially on foreign policy and military affairs, but also on so many other things as well. People ought to be listening to what he is saying with regard to this judgeship. I have great respect for Senator MCCAIN and always will. He is one of the truly great Senators in this body. I just wish my colleagues on the other side would pay a little more attention to what he is having to say here today. So I thank the Senator.

NOMINATION OF HEATHER WILSON

Madam President, I rise today in strong support of the confirmation of Dr. Heather Wilson to be the 24th Secretary of the Air Force.

I have had the privilege of knowing Dr. Wilson since her election to Congress, where she distinguished herself as a member of the House Intelligence Committee. In my interactions with Dr. Wilson in the Intelligence Committee, it quickly became apparent that she is a person of great intellect and exceptional character. But this should come as no surprise since she has always achieved a level of excellence in each of her endeavors.

Dr. Wilson knew success from an early age. She made history as one of the first female graduates of the Air Force Academy. At the academy, she thrived as a student, eventually earning a Rhodes scholarship to attend Oxford University, where she earned a Ph.D. in international relations.

Dr. Wilson then wrote a well-received book titled ''International Law and the Use of Force by National Liberation Movements.'' As a lawyer, I was particularly impressed by Dr. Wilson's in-depth analysis of international law. What is all the more impressive is that the book was published as she was serving as Director of Defense Policy and Arms Control for the National Security Council.

Dr. Wilson's commitment to national security was evident when she served in the House of Representatives from 1998 to 2009. When she left the House after more than a decade of service, Congress' loss was South Dakota's gain. In 2013, she became the president of the South Dakota School of Mines and Technology. There, she showed extraordinary skill in leading a large institution.

In sum, Dr. Heather Wilson is a person of great intellect, strong management skills, and superlative character. I believe she will be an outstanding Secretary of the Air Force, which is why I strongly encourage my colleagues to confirm her without delay.

Confirming Dr. Wilson with dispatch is necessary to address the many challenges currently facing our military. After all, there are fundamental issues regarding the readiness of our armed services—especially the Air Force—which must be confronted and resolved.

Although the lack of proper investment and training is evident in each of the military departments, I am especially concerned about the Air Force because of its unique missions and responsibilities. Two words describe each set of problems facing our Air Force: ''too few''—too few aircraft; too few personnel, including pilots; too few flight training hours.

Regarding the shortage of aircraft, as the Air Force Vice Chief of Staff recently testified before the SASC Readiness Subcommittee, less than 50 percent of the services' aircraft are ready to perform all of the combat missions to which they are assigned. The average age of the service's fighter aircraft is 27 years old. Many other aircraft, including the B–52 and the KC–135, have decades of wear and tear. Even more alarming, the aging aircraft of the 1950s and 1960s will be retained in the force for the foreseeable future.

The current number of 55 fighter squadrons falls short of the number needed to fulfill our warfighters' requirements. As Dr. Wilson testified during her confirmation hearing, ''the Air Force is not fully ready to fight against a near-peer competitor,'' such as China or Russia—too few aircraft, indeed.

Of course, the number of aircraft is just one of the multiple issues facing the Air Force. We also have too few personnel, including pilots. Our aircraft—no matter how advanced—cannot fly without experienced and highly trained maintenance personnel, and we need 3,400 more before the service can effectively accomplish its mission.

We are also running short of the men and women who fly these aircraft. In recent testimony before the Airland Subcommittee, senior Air Force officers testified that the service had a deficit of 1,555 pilots. Of that number, we require more than 750 additional fighter pilots. Further, there is concern that those pilots who remain are receiving very few flight training hours—much less than needed.

These are enormous challenges. But despite the Herculean task in front of us, I have no doubt Dr. Wilson will develop the strategies and policies required to restore our Air Force to a full state of readiness. I hope the Senate will speed the confirmation of Dr. Wilson to become the 24th Secretary of Air Force.

Madam President, I am very concerned with the way Neil Gorsuch has been treated. We could not have a finer person, a more ready person, a more knowledgeable person, a more legal expert-type of a person than Neil Gorsuch for this very, very important calling on the Supreme Court.

It is amazing to me how some of my colleagues on the other side have ignored all of the facts, all of the evidence, all of the experience, all of the goodness of this man. I hope they will not vote against him, but it looks to me as though many of them are going to vote against him. If you are voting against Neil Gorsuch, who can you support? Are you just going to support people who do your bidding? Or are you going to support people who really can do the Nation's bidding, do the things that this country needs?

Neil Gorsuch is that type of a person. He has that kind of an ability. He has that kind of experience. He is a terrific human being. Whether you agree with him or disagree with him, you walk away saying: ''Well, he certainly makes a lot of good points.'' You walk away saying: I like that guy. He is somebody I can work with. He is somebody that really loves this country. He is somebody who sets an exemplary example in every way.

I have to say that, in my years of service here, I have seen a number of Supreme Court nominations, and I have seen a number of people put on the Court, and they have all been exceptional people. But there is none of them who exceeds Neil Gorsuch. He is that good. It is kind of a shame that we can't, in a bipartisan way, support this selection.

I suspect that there is more to it than Judge Gorsuch. I think our colleagues on the other side know that this early in President Trump's reign as President of the United States, he might very well have another one, two, or even three or four, nominees to the Court. I don't blame my colleagues on the other side for being concerned, because—let's face it—he is unlikely to put people on the Court with whom they agree.

On the other hand, he is very likely to put people on the Court who are

great lawyers, who have had great experience, who will bring great distinction to the Court, and who will, without telling us how they are going to vote and how they are going to rule, do the job that we all count on the Supreme Court doing.

The Supreme Court, to me, is a sacred institution. We have had great Justices on both sides—on all sides, as a matter of fact. We have had great Democrat Justices. We have had great Republican Justices. No one knows how great the nominee is going to be until that nominee actually serves on the Court and does the job that is so difficult to do as a member of the U.S. Supreme Court. I have every confidence Neil Gorsuch will be one of the all-time great Justices for that Court. He deserves confirmation. He deserves overwhelming confirmation. If we weren't in such a disputative mood around here, if we didn't have so much problems with each other, he would be an easy person to support.

So I hope we can put our politics aside and look at the man, look at his experience, look at his ability, look at his genius, look at his decency, and look at the fact that he agreed with his colleagues on 99 percent of the cases tried before the Tenth Circuit Court of Appeals—and most of those colleagues were Democrats. Look at these types of things, and say: My gosh, what are we about here? Has it just become a politicized exercise every time we have a Supreme Court nomination, one way or the other?

I have to admit that it looked as though Hillary Clinton was going to win. Senator MCCONNELL decided that we should not put Merrick Garland on during a Presidential election, which I think was a good decision. It was a sincere decision. It looked as though, if Hillary Clinton was going to win, she might very well put a much more liberal judge on the Court than Merrick Garland. The fact of the matter is, Senator MCCONNELL knew the odds were against Republicans winning the Presidency this last election.

To some, it was kind of miraculous for Donald Trump to win. It wasn't miraculous to me, because last May Donald Trump called me and asked me to support him. I said: You don't want me. I said: I am the kiss of death.

He laughed and he said: What do you mean the kiss of death?

Well, I supported Jeb Bush, and he went down to defeat. Then I supported MARCO RUBIO, my colleague in the Senate, and he had to withdraw. So I am the kiss of death.

He said: I want you, anyway.

So I became one of two Senators who supported this now-President of the United States and was gratified to see him win that election. I thought he could. Deep down, I knew there was a great chance because I was going all over the country and I found that people were not willing to say whom they were for. I knew darn well they were for Trump. They just didn't want to admit it—especially Democrats. But he got an overwhelming number of blue-collar Democrats—I understand them; I learned a trade as a young man—who voted for him.

When I say I learned a trade, I was born not with the wealth of some of our colleagues. I was born in what some people would call poverty today. We didn't think we were poverty-stricken. My parents were very solid, decent, honorable people, but they were poor—frankly, poor in the sense of monetary value. But they were good, honest, decent people, and I feel very blessed to have been raised by them.

All I can say is this. To allow the selection of the Supreme Court nominee to come down to a wide vote against that nominee with the qualities of Neil Gorsuch—if that is what my colleagues on the other side, in their wisdom, decide to do, I think it is a disgrace. I think it flies in the face of years and years of people selected for the Court. Now, we all can differ. Everybody has that right. All I can say is I just wish we were more together as a body.

I have great respect for my Democratic colleagues, as well as my Republican colleagues. This is the greatest deliberative body in the world. Despite our difficulties and our differences, we do a lot of really good things for this country. And we do it at its best in a bipartisan way when we can.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

SYRIA

Mr. CORNYN. Madam President, I would like to start briefly by mentioning the horrific chemical attack on innocent civilians in Syria earlier this week. It was nothing short of evil. I stand shoulder to shoulder with the administration in condemning this brutality. Again, we see Bashar al-Assad crossing a line—a line drawn and then ignored by the Obama administration.

The United States and the world community simply can't stand idly while Syria continues crimes against humanity, again, under Russian protection. That is why last night the administration responded quickly and proportionally. I commend the President and his national security team for acting decisively and sending a clear message to Assad and our allies. I am sure it was a message that was not missed by the leaders of the Iranian Government, the Russian Federation, and North Korea.

I agree with Ambassador Haley that Russia's obstructionism at the U.N. has enabled Assad and prevented international action, resulting in at least 400,000 Syrians dead in this civil war and millions of others displaced as refugees, not only internally but externally as well. Going forward, I stand ready to work with the President and his administration on a unified strategy to defeat Assad's barbarism and work toward greater stability in Syria and throughout the region.

Madam President, on another subject, as we all know, here in about 20 minutes, we will start the vote to confirm Neil Gorsuch as the next Justice of the Supreme Court. Over the last few weeks, our colleagues and I have—and the entire country, as a matter of fact—have gotten to know Judge Neil Gorsuch not only as a judge but as a man. He is a good man with superb qualifications and incredible integrity.

A Colorado native, Judge Gorsuch has served on the Denver-based Tenth Circuit Court of Appeals for about 10 years. He is known for his sharp intellect, his brilliant writing, and his faithful interpretation of the Constitution and laws passed by Congress. He is, in short, a distinguished jurist with an impeccable legal and academic record.

In addition to his decade on the bench, his professional experience includes years practicing in a private law firm, prestigious clerkships, including the Supreme Court of the United States under two separate Justices, and service in the Department of Justice.

It is simply undeniable that Judge Gorsuch is a qualified, high-caliber nominee. I have no doubt that he will serve our Nation well on the Supreme Court. But of course, in spite of all of this—his sterling background, his proven character, his broad bipartisan support—we have seen an unprecedented attack on this good judge and this good man in the form of a partisan political filibuster, the first ever lodged against a Supreme Court nominee. Yesterday, our Democratic colleagues would have prevented the up-or-down vote we are getting ready to have here starting at 11:30. For what? Well, it certainly was not because of the judge, his character, his qualifications, or his background and experience; it was merely because so many of our colleagues across the aisle simply have not gotten over the fact that Donald Trump won the Presidential election and Hillary Clinton did not.

Before Judge Gorsuch was nominated, the minority leader, our colleague Senator SCHUMER, said they needed a ''mainstream nominee.'' After President Trump nominated a mainstream nominee, Democrats then looked for other ways to make him out to be some sort of extremist or radical. But they failed because there is simply no evidence to justify those kinds of characterizations.

For one, judicial experts spanning the political spectrum, including President Obama's former Solicitor General, voiced their support.

Second, they had to deal with the facts of his record. During his time on the Tenth Circuit, Judge Gorsuch was

involved in thousands of decisions—2,700 to be exact. The vast majority of those panel decisions made by at least three judges—sometimes more on the panel—97 percent of them were unanimous. So you would basically have to slander the reputations of all of those other judges with whom the judge agreed to claim that he is some sort of out-of-the-mainstream extremist. That is truly an impressive record for a judge in a multi-judge court like the Denver-based Tenth Circuit Court of Appeals. It simply rebuts any picture our friends across the aisle have attempted to paint of him as some kind of extremist or radical.

I would ask our friends this question: If Judge Gorsuch does not fit the bill for a qualified, mainstream nominee, then is there any nominee from this President or any other Republican President who will meet the Democrat's arbitrary, flimsy standard?

Time and time again, our friends across the aisle failed to make any intellectually honest argument against this nominee. Still, they are determined to block him. That brought us to the cloture vote yesterday and the last-ditch effort to block Judge Gorsuch. They did not want to even give him the up-or-down vote we are getting ready to have here in a few minutes. Instead, they wanted to kill his nomination by simply refusing an up-or-down vote and moving his nomination forward.

In our Nation's entire history, before yesterday there had only been four cloture votes for Supreme Court nominees—only four. None of them had been cast as a partisan filibuster determined to try to block the nomination—until yesterday.

Still, the minority leader, cheered on by the extreme groups on the left, barreled this Chamber to the first-ever partisan filibuster of a Supreme Court nominee, following a regrettable and recent tradition of Democratic obstructionism when it came to Republican judicial nominees.

Now that there is a Republican White House, that is what they want to do again—obstruct. This is a wholly concocted method the Democrats started back when George W. Bush was President to deny a Republican President an opportunity to nominate the person of his choice, confirmed by a majority vote in the Senate.

Before 2000, before Senator SCHUMER and a number of liberal legal activists decided they wanted to raise the threshold for confirmation to 60 votes, instead of what the Constitution requires, which is a majority vote. No one would ever have dreamed that the Constitution would have allowed for a 60-vote requirement, rather than an up-or-down vote.

It is not that our friends across the aisle truly oppose Judge Gorsuch. The fact is, they oppose President Trump. That is what this is all about.

This vote isn't actually about President Trump. It is about the man we have all learned so much about, Judge Neil Gorsuch, who has a record of faithfully interpreting the law, a man who has proved himself to possess an independent judicial mind, who simply follows the law wherever it may lead. He is someone who has won bipartisan approval.

This vote is about delivering our promise. The Republicans have promised to let the American people's voice be heard in deciding who they would choose as President to select the next Supreme Court Justice. The American people did that. They chose President Trump, and he chose Judge Gorsuch.

If Hillary Clinton had been elected President today, I have no doubt that her choice for the Supreme Court would be confirmed by a majority vote in the same U.S. Senate.

Now it is time that we deliver on the promise we made to the American people and confirm Judge Neil Gorsuch to the Supreme Court.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, I hadn't planned to speak this morning, but when my friend from Texas decided to give his version of history, I thought: Well, I ought to give my version. It is slightly different.

Justice Antonin Scalia passed away in February of last year. President Barack Obama, the President of the United States of America, had a constitutional responsibility under article II, section 2 to nominate a person to fill the vacancy on the Supreme Court, as every other President had. And he did.

He came up with the name Merrick Garland, the Chief Judge on the DC Circuit Court of Appeals, a man who is widely respected, judged unanimously ''well qualified'' by the American Bar Association. President Obama submitted his name to this Congress, to the Senate, a Senate that has a Republican majority, led by Senator MITCH MCCONNELL of Kentucky.

Senator MCCONNELL and the Republican Senators did something that had never happened in the history of this Chamber—not once. They denied President Obama's nominee the opportunity for a hearing and a vote. In fact, Senator MCCONNELL went further and said: I won't even meet with the man.

It had never happened before.

You say to yourself: Well, come on. This isn't beanbag. You are in Washington. This is major league politics. This sort of thing must happen all the time. Never.

In fact, if you go back not that far in history, to 1988, in the last year of President Ronald Reagan's Presidency—his fourth year of his second term, some call it the lameduck year—there was a vacancy on the Supreme Court.

Republican President Ronald Reagan sent the name Anthony Kennedy to a Democratically controlled Senate, which had the power to do the same thing Senator MCCONNELL did: Deny a hearing, deny a vote.

Well, what did the Democrats do? We gave Justice Kennedy a hearing, a vote, and sent him to fill the vacancy on the Supreme Court.

Under Senator MCCONNELL, the Republicans refused Merrick Garland the same opportunity, and they said to President Obama: You are in your fourth year. You are a lameduck. Your choice for the Supreme Court really doesn't count.

But there was more to it. Really, the strategy was based on the premise and possibility that a Republican would be elected in this last November election, and if so, that Republican President could fill the vacancy on the Supreme Court.

Well, that is exactly what happened. The election of Donald Trump gave him the opportunity to fill the vacancy of Antonin Scalia, a vacancy that should have been filled, I believe, by Merrick Garland, President Obama's nominee.

That is what led up to the vote yesterday, but there was more.

Where did the name Neil Gorsuch come from? It is true that he served on the Tenth Circuit for 10 years. He had been approved by the Senate. He certainly had a strong resume. But how did he get on the finalist list?

Well, most of the time you never know. Presidents don't always disclose how they come up with names. In this case, it was very open because, during the course of his campaign, Donald Trump, the candidate, listed 21 names of people whom he would appoint to the U.S. Supreme Court. On that list of names, Neil Gorsuch of Colorado.

How did that name make the list? Well, we know because President Trump told us. He was the choice of the Federalist Society and the Heritage Foundation. If you know these two organizations, you know they are Republican advocacy groups, very conservative groups, and they were going to pick the nominees who were approved by them and submit them to Donald Trump, which he then publicized. We know that because, at the end of the day, Donald Trump thanked the Federalist Society for nominating Judge Gorsuch. That is how the name came to us.

I sat through the hearings as a member of the Senate Judiciary Committee, and I will tell you that most Supreme Court nominees don't go out of their way to volunteer information. They try to be respectful, but they don't try to say much of anything. They don't want to get in trouble either as judges or as candidates to be a Justice on the U.S. Supreme Court. So there were gaps in his testimony and troubling questions raised about him.

I don't want to dwell on him so much as I want to dwell on this process. What happened yesterday on the floor of the Senate was unfortunate. Since I have been in the Senate, the last four Justices on the Supreme Court—two

nominated by President Obama, Sonia Sotomayor and Elena Kagan, and two nominated by George W. Bush, John Roberts as well as Justice Alito—all received 60 votes during the course of their consideration. That is not, as the Senator from Texas alluded, written in the law per se, but it was written—until yesterday—in the rules of the Senate. You needed 60 votes to overcome the possibility of a filibuster and to file cloture.

Well, that rule was changed yesterday to a simple majority. That is an unfortunate occurrence. A lifetime appointment to the highest Court in the land should be more than just a bare majority vote, as far as I am concerned, and, historically, with very few exceptions, that has been the case.

That is not the case here. We found yesterday that the Republicans voted for a change in rules, which was under the power of the majority to do—a change in the rules, which lowered the standard for this judge for the first time officially in at least a century to a mere majority vote. That is what he received, and that is what brings his nomination to the floor today to be considered for the Supreme Court.

At the end of yesterday's session, when the rule was changed, some Senators were engaged in high fives on the other side of the aisle. I am not sure why. I don't think it was a time for any winning celebration. I think it was an unfortunate moment.

The question is, Where will we go from here? We know what the outcome of the vote will be on Judge Gorsuch this afternoon. That is preordained by the rule struggles we went through yesterday. But where does the Senate go? Where should we go? Well, I hope we will have the good sense to restore the 60-vote margin when it comes to future Supreme Court nominees.

It may be that Justice Gorsuch has an asterisk by his name as the only one to have been officially approved with cloture set at a majority vote, but I am hoping, even if he reaches the Supreme Court, that will not hold him back from serving this Nation well. I know he has told us over and over again that is exactly what he wants to do.

But I hope the Senate will restore the standard of 60 votes necessary for the Supreme Court. I really believe serving as a Supreme Court Justice is an extraordinary opportunity for a person to serve this Nation, an extraordinary responsibility, and we should take it very seriously. It shouldn't be a majority decision; it should be a 60-vote decision. I hope we get back to that very soon.

Secondly, I hope the Senate will not be derailed by this Supreme Court nomination having happened so early in the session. This is a great institution. I have given a big part of my life to it and look forward to serving more in the Senate—not as long as the Senator from Iowa, who I think has retired the trophy in his State for his service in the Senate—but I do believe this is a great institution.

An example is that the Senator from Iowa and I are of opposite political faiths. He and I have worked together on some important issues in the past, and we want to work together in the future. I think we can. If we can restore what you and I remember as the glory days of this body, it is in the best interest of this Nation.

So beyond this Supreme Court nomination, let's hope we can all come together to make that happen.

I see my colleagues filing in. I know they are anxious to vote. I am not going to hold the Chamber. I am just going to say that I thank the Presiding Officer and my friend, the chairman of the Senate Judiciary Committee. I look forward to the vote.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, we are about to vote on the nomination of Judge Gorsuch, so I would like to say to my colleagues why I am so pleased that we will soon be referring to him as ''Justice Gorsuch.''

I opened our Judiciary Committee hearing with this:

> One of Justice Scalia's best opinions begins with this declaration: it is the ''proud boast of our democracy that we have a government of laws and not of men. . . . Without a secure structure of separated powers, our Bill of Rights would be worthless.''

The separation of powers in our Constitution is a guardian of our liberty. Judge Gorsuch understands that. His deep understanding of the separation of powers enlivens his opinions.

By faithfully enforcing the boundaries among the branches of government and the power of the Federal Government in our lives, this Justice will ensure that the law protects our liberties.

Here is the other thing that is important about a judge who respects the separation of powers: We know he will be independent. He told us that he is his own man, that no person speaks for him. He is not beholden to the President who appointed him. His testimony shows that he is not beholden to us in the Congress either. He wouldn't compromise his independence to win confirmation votes. He passed the test.

This is a man of integrity, and his qualifications for the bench are exceptional. You know the story: bachelor's from Columbia University, Harvard Law School, doctorate from Oxford University, partnership at a prestigious law firm, and high-level Justice Department service for the people of our country, but most importantly, a decade-long record of faithfully applying the law on the Federal bench in 2,700 cases as a member of the Tenth Circuit Court of Appeals.

Let me sum up this way: This brilliant, honest, humble man is a judge's judge, and he will make a superb Justice.

I yield the floor.

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

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. DURBIN. I yield back the remainder of our time.

I withhold that request until the arrival of the leader.

I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I yield back the remainder of time on this side.

The VICE PRESIDENT. Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the Gorsuch nomination?

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

The VICE PRESIDENT. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

Further, if present and voting, the Senator from Georgia (Mr. ISAKSON) would have voted ''yea.''

The VICE PRESIDENT. As a reminder, expressions of approval or disapproval are not permitted from the gallery.

Are there any other Senators in the Chamber desiring to vote or change their vote?

The result was announced—yeas 54, nays 45, as follows:

[Rollcall Vote No. 111 Ex.]

YEAS—54

Alexander	Fischer	Murkowski
Barrasso	Flake	Paul
Blunt	Gardner	Perdue
Boozman	Graham	Portman
Burr	Grassley	Risch
Capito	Hatch	Roberts
Cassidy	Heitkamp	Rounds
Cochran	Heller	Rubio
Collins	Hoeven	Sasse
Corker	Inhofe	Scott
Cornyn	Johnson	Shelby
Cotton	Kennedy	Strange
Crapo	Lankford	Sullivan
Cruz	Lee	Thune
Daines	Manchin	Tillis
Donnelly	McCain	Toomey
Enzi	McConnell	Wicker
Ernst	Moran	Young

NAYS—45

Baldwin	Casey	Harris
Bennet	Coons	Hassan
Blumenthal	Cortez Masto	Heinrich
Booker	Duckworth	Hirono
Brown	Durbin	Kaine
Cantwell	Feinstein	King
Cardin	Franken	Klobuchar
Carper	Gillibrand	Leahy

Markey	Peters	Tester
McCaskill	Reed	Udall
Menendez	Sanders	Van Hollen
Merkley	Schatz	Warner
Murphy	Schumer	Warren
Murray	Shaheen	Whitehouse
Nelson	Stabenow	Wyden

NOT VOTING—1

Isakson

The nomination was confirmed.

The VICE PRESIDENT. The majority leader.

Mr. MCCONNELL. Mr. President, I move to reconsider the vote, and I move to table the motion to reconsider.

The VICE PRESIDENT. The question is on agreeing to the motion.

The motion was agreed to.

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The VICE PRESIDENT. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 34, Rod Rosenstein to be Deputy Attorney General.

The VICE PRESIDENT. The question is on agreeing to the motion.

The motion was agreed to.

The VICE PRESIDENT. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Rod J. Rosenstein, of Maryland, to be Deputy Attorney General.

CLOTURE MOTION

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

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Rod J. Rosenstein, of Maryland, to be Deputy Attorney General.

Mitch McConnell, John Boozman, Jeff Flake, Thom Tillis, Richard Burr, Mike Crapo, John Barrasso, Chuck Grassley, Mike Rounds, John Kennedy, John Thune, Pat Roberts, James E. Risch, Orrin G. Hatch, Shelley Moore Capito, Lindsey Graham, John Cornyn.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum call with respect to the cloture motion be waived and that notwithstanding the provisions of rule XXII, the cloture vote on the nomination occur following disposition of the Perdue nomination on Monday, April 24.

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

The Senator from Iowa.

THANKING STAFF

Mr. GRASSLEY. Mr. President, there are some people who need to have a thank-you for what we just completed here—people who hardly ever get any attention. So I will take a couple of minutes to express my appreciation to some of the staff who worked on this Supreme Court nomination.

The staff for both the majority and minority put in a lot of hours and reviewed a lot of material. Their work ensured that the hearing we held for Judge Gorsuch went smoothly and was fair to all of the Members. Our staff reviewed all of the 2,700 cases Judge Gorsuch participated in as well as 180,000 pages of documents that were produced by the Department of Justice and the George W. Bush Presidential Library and Museum that were related to that nomination.

First, on my staff, I would like to recognize my Judiciary Committee staff director, Kolan Davis. Mr. Davis has been with me for 31 years, and I always value his wise counsel.

I thank, as well, my personal office chief of staff, Jill Kozeny, who has been with me for 27 years.

My deputy staff director is Rita Lari, and my chief nominations counsel is right here at my side, Ted Lehman.

I would also like to thank counsels Megan Lacy, Lauren Mehler, Kasey O'Connor, and Katharine Willey. Each of them worked incredibly hard.

Also on the team were several special counsels who joined the staff to work on this important nomination. They are Dan Guarnera, Bill Lane, Katie Roholt, and Carol Szurkowski.

Every one of these talented lawyers played a very important role, and I think every member of the Senate Judiciary Committee benefited from their wise counsel throughout this confirmation process.

I would also like to acknowledge and thank Ranking Member FEINSTEIN, the Senator from California. The ranking member and her staff approached this process seriously from the very beginning. So I want to thank her staff for all the work they have put into preparing for the hearing and the debate, both in committee and here on the floor.

Thank you to her staff director, Jennifer Duck, and several of the other lawyers on her staff who, I know, put a lot of time into ensuring that the hearing was a success. They include Paige Herwig, Nazneen Mehta, and Chan Park.

I am also thankful for my very talented press team, Beth Levine and Taylor Foy, and for Jen Heins for keeping me on schedule, as well as for my personal office staff and the rest of the Judiciary Committee staff who took care of things while I was on the floor and during the long hours in the hearing.

I also deeply appreciate the work of Senator MCCONNELL's staff who was constantly in contact with my staff—most importantly John Abegg.

The people I mentioned bore the bulk of the workload and labored tirelessly night after night, day after day, and nonstop through the weekends. They deserve our recognition as a tribute to their hard work, professionalism, and dedication to public service.

Finally, my thanks to the Judiciary Committee's chief clerk, Roslyne Turner, and her team, Michelle Heller and Jason Covey.

All of these staff members contributed to this process, and we would not have been able to conduct such a fair and thorough hearing without their hard work and their professionalism. To each of them, I extend a heartfelt thanks, and if I left anybody out, I will buy them a Dairy Queen.

Mr. President, finally, my wife Barbara is in the Capitol today. As always, I thank her for her support and partnership for more than 62 years.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

CONFIRMATION OF NEIL GORSUCH

Mr. GARDNER. Mr. President, I thank the chairman of the Senate Judiciary Committee for the work he carried out over the past several months as this nomination proceeded.

Mostly, I want to congratulate Judge Neil Gorsuch on his confirmation to the U.S. Supreme Court.

While people in this Chamber voted yea or nay—some voted yes and some voted no—we all recognize the heavy obligation that now falls on the shoulders of Judge Gorsuch as a Justice of the U.S. Supreme Court.

We will lean on Judge Gorsuch to make sure our Constitution is enforced. The American people will lean on Judge Gorsuch to make sure justice is dispensed impartially, with equality—that justice is indeed blind.

To Judge Gorsuch and his family, congratulations.

To the people of this Chamber who worked so hard over the past several weeks and months to assure this moment happened, thank you.

To the great State of Colorado, it is an honor to have a fourth-generation Coloradan—a man of the West, with grit and determination—join the Nation's High Court.

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

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

COMMENDING THE CHAIRMAN OF THE JUDICIARY COMMITTEE

Mr. SASSE. Mr. President, I would like to add my voice to yours in commending the chairman of the Judiciary

Committee, the Senator from Iowa, for the honorable, principled, and commonsense way in which he led this committee through the last number of weeks and months as he shepherded through this body the confirmation of Judge—on Monday, Justice—Gorsuch.

The chairman from Iowa is a special man, and the 100 of us—or the 99 of us—who are privileged and blessed to serve with him know he is the model of how to conduct oneself honorably in this job, and America will benefit from Judge Gorsuch's joining the Court.

I add my voice to those commending the senior Senator from Iowa for the way he has helped shepherd this body.

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

CONGRATULATING NEIL GORSUCH AND THANKING THOSE INVOLVED IN THE CONFIRMATION PROCESS

Mr. MCCONNELL. Mr. President, I am proud to say the Senate has now confirmed Judge Neil Gorsuch as an Associate Justice on the Supreme Court. I want to congratulate Judge Gorsuch on this significant achievement. I look forward to observing his good work in the years to come.

The confirmation process was certainly a significant undertaking—one that would not have been possible without the dedicated efforts of so many. I would like to take a moment to recognize them now.

First, I would like to thank the man who made this moment possible by sending us this outstanding nominee. He is our President, Donald Trump. This has been one of the most transparent judicial nomination processes anybody can remember, and President Trump should be commended for his efforts.

I also appreciate the role Vice President PENCE played in moving this nomination forward as well as the outstanding work of the White House staff, led by Don McGahn, and for the wise counsel they provided throughout this process.

Of course, we all know how tirelessly our dear friend Senator GRASSLEY has worked in leading the Judiciary Committee through this process. He has been an unwavering leader, though we know it has not always been easy. Chairman GRASSLEY worked long and hard to ensure this process ran efficiently, to give Members on both sides ample opportunity to review the nomination, to see that the nominee was treated respectfully, and, ultimately, to help bring this well-qualified jurist over the finish line.

I would be remiss if I did not also mention the work of the Judiciary Committee collectively for its time and effort as well. I am referring to members of the committee, and I am referring to Chairman GRASSLEY's excellent Judiciary staff as well. They were critical to this effort.

Specifically, I thank the following: Staff Director Kolan Davis, Chief Nominations Counsel Ted Lehman, Communications Director Beth Levine, Megan Lacy, Lauren Mehler, Kasey O'Connor, Katharine Willey, Bill Lane, Carol Szurkowski, Dan Guarnera, and Katie Roholt.

To that end, I would also like to acknowledge our former colleague Kelly Ayotte. From dozens of meetings with Senators to lengthy days-long hearings, she helped to ensure that this process ran as smoothly as possible, and she did so with a sense of grace that we all came to know when she was one of our colleagues.

Similarly, I want to recognize several White House Legislative Affairs staff who helped guide Judge Gorsuch through this process, including Mary Elizabeth Taylor, Marc Short, and Amy Swonger.

There are several others I would like to thank as well.

To the floor staff, Laura Dove, Robert Duncan, and their team, thank you for keeping the floor running smoothly and guiding us through Senate procedure. You all do incredible work and very difficult work, and you make it look effortless during each and every time.

To the folks who keep our institution running—the Parliamentarians, the clerks, the reporters of debates, the doorkeepers, Capitol Police, and numerous others who have sacrificed and worked long—often grueling—hours, thank you for everything you do and for always doing it with a smile.

Of course, I would also like to thank my Republican colleagues for their months of hard work. It has been a winding and sometimes bumpy road, but together we were able to confirm a judge who, I believe, will serve his country very well.

In particular, let me thank Republican whip, JOHN CORNYN, and his team, led by Monica Popp, for their efforts. Theirs is certainly not an easy job, but it is a necessary one.

There are a few others I could not leave today without mentioning.

To each and every member of my own staff, I want to express my sincere appreciation. There are almost too many names to mention, but, if I may, I would like to acknowledge a few individuals who have been particular assets through this entire process.

My chief of staff, Sharon Soderstrom, led our team through this lengthy and arduous confirmation process while balancing a never-ending list of demands. She has been a constant source of support and, as always, an indisputable and fearless leader.

Sharon, I am immensely grateful to you for being at the helm of my leadership office.

My deputy chief, Don Stewart—''Stew'' as we like to call him—always knows exactly what to say or not to say, as the case may be. He has been a critical member of the team in charting the way forward and in helping convey our efforts to the American people.

Stew, thank you for your discerning advice and, yes, for your good humor as well.

My policy director, Hazen Marshall, has steered our policy objectives forward, balancing numerous legislative items and making it look effortless along the way.

So thanks, Hazen, for your sound counsel and for driving the train forward on so many different issues.

To my counsel, John Abegg, where do I begin? John has been an invaluable member of my team, a guiding source of wisdom, and a driving force in bringing Judge Gorsuch over the finish line. He has put in countless hours and has never stopped working, even in the most trying of times.

John, literally, this moment would not have been possible without you.

I know there are many others whom I wasn't able to name right now, but I want them to know we recognize their efforts, and we are immeasurably grateful for the work they do.

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

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

TRIBUTE TO COLONEL OSSEN D'HAITI

Mr. SCHUMER. Mr. President, today I wish to recognize the life and service of Col. Ossen D'Haiti, who is retiring from Active Duty in the U.S. Marine Corps after 27 years.

From an early age, he felt called to military service and attended the U.S. Merchant Marine Academy at Kings Point. As an engineering cadet, he sailed abroad on four ocean-going vessels with port calls in Egypt, Israel, Greece, Italy, Spain, Germany, Holland, and England. In 1990, he graduated Kings Point with a bachelor of science in marine engineering and a U.S. Coast Guard third assistant engineer's license.

Commissioned as a Marine Corps officer, Colonel D'Haiti spent the next 27 years as an AV–8B Harrier pilot, completing notable assignments both in and out of the cockpit. He has deployed with aviation detachments aboard the USS *Nassau*, LHA–41, and the USS *Bonhomme Richard*, LHD–6, and has flown over 150 combat missions during Operations Joint Endeavor and Guardian Retrieval in 1996, Operations Enduring Freedom and Anaconda in 2002,

and Operation Iraqi Freedom in 2006–2007. He has also served on the staff of the Secretary of Defense, the Secretary of the Navy, the Commandant of the Marine Corps' Strategic Initiatives Group, and the Marine Corps Forces Central Command Coordination Element forward deployed in Bahrain. His personal decorations include the Defense Superior Service Medal, the Meritorious Service Medal with Gold Star in lieu of Second Award, the Air Medal with 6 strike device, the Navy Marine Corps Commendation Medal with Gold Star in lieu of Second Award, as well as numerous campaign and service awards.

While serving, Colonel D'Haiti also made numerous civic contributions and is a leader within his community. After a 7.0 magnitude earthquake devastated Haiti in 2010, Colonel D'Haiti volunteered for nearly a month with the Haiti Micah Project, working to provide hot meals and shelter to street children in Mirebalais. Colonel D'Haiti is married to the former Maxine Hall of Sharon, MA, and loving father to Elizabeth, Grace, and Benjamin.

On behalf of my colleagues in the U.S. Congress and the thousands of sailors and marines you have led and mentored, thank you. Your life and service are the hallmark of the American Dream and will be an enduring inspiration for generations of young men and women after you. I wish you fair winds and following seas in all of your future endeavors.

TRIBUTE TO NEIL SMIT

Mr. TOOMEY. Mr. President, I want to recognize a constituent of mine, Neil Smit, for his service to our country, volunteer work in the community, and accomplishments in the business world. Earlier this year, Neil stepped down as president and CEO of Comcast Cable after 7 years with the company, but he will continue to work for the Comcast Corporation in his new role as a vice chairman.

Many know Neil for his business success and acumen, but his impressive career began as a member of the Armed Forces. Neil served on Active Duty with the Navy SEAL teams for over 5 years and retired from the service as a lieutenant commander. Neil never forgot the actions of his fellow servicemembers, which is why he championed Comcast's pledge to help Active-Duty servicemembers find jobs and make the transition into the civilian workforce. In particular, Neil spearheaded Comcast's commitment to hire 10,000 veterans, Reservists, and their spouses, as well as improving the company's military leave policies.

Neil is active in community service, both nationally and in the Philadelphia region. He currently sits on the executive committee of the board of trustees for the Children's Hospital of Philadelphia, and he serves on the board of directors of the National Cable and Telecommunications Association and C–SPAN, which broadcasts the Senate's proceedings nationwide.

As CEO of Comcast Cable, Neil developed and implemented significant changes aiming to improve cable and broadband services across the country. Comcast has a strong and well-known presence in Pennsylvania, both in terms of delivering television programming and Internet service to customers and in employing thousands of hard-working individuals across a variety of careers. Under Neil's leadership, Comcast Cable accelerated its commitment to job creation and innovation, developing new products that changed how customers consume telecommunication services. Prior to his time at Comcast, Neil displayed the same leadership and dedication to teamwork while serving in senior leadership positions at Charter Communications, AOL, Pillsbury, and Nabisco.

Today I congratulate Neil Smit on his leadership and an impressive career. I thank him for his service to our Nation and wish him well in his new role.

ADDITIONAL STATEMENTS

TRIBUTE TO MAJOR GENERAL H. MICHAEL EDWARDS

● Mr. ALEXANDER. Mr. President, today I wish to recognize and commend Maj. Gen. H. Michael Edwards, who retired on March 31, 2017, after 43 years of exceptional leadership and service to our country, including 36 years in the Colorado Air National Guard.

For almost a decade in the position of the adjutant general for Colorado, General Edwards was responsible for the command administration of over 5,300 Army and Air National Guard members.

He also served as the executive director of the Department of Military & Veterans Affairs and was a member of the Governor's cabinet.

He had responsibility for the Colorado National Guard's primary missions of national defense and State emergency response. In addition, he was responsible for supporting the missions of the Civil Air Patrol's Colorado Wing.

General Edwards received his commission in 1973, after graduating from the U.S. Air Force Academy, and earned his pilot wings in 1974 at Reese Air Force Base, TX.

He served as an F–4 pilot and AT–38 Fighter lead-in instructor pilot at Osan Air Base, Korea, and Holloman Air Force Base, NM, respectively.

General Edwards joined the Colorado Air National Guard in August 1980. He has served in numerous assignments in flying and operations, as well as command positions at squadron, group, and wing levels—culminating as the adjutant general for Colorado.

During his tenure as adjutant general, more than 6,000 Colorado National Guard citizen-soldiers and citizen-airmen have mobilized in support of overseas contingency operations.

He also oversaw the Colorado National Guard's record-setting response to some of the worst natural disasters impacting Colorado, including the High Park fire and the Waldo Canyon fire during 2012, followed by the Black Forest fire and historic flooding along the Colorado Front Range in 2013.

Furthermore, General Edwards was instrumental in bringing a new National Guard cyber protection team to Colorado, bolstering the State's cyber defenses. He also diversified the Colorado National Guard through the appointment of its first female general officer.

Over a period of 10 years, General Edwards significantly grew the Colorado National Guard's enduring relationships with the Republic of Slovenia and the Hashemite Kingdom of Jordan under the National Guard State Partnership Program.

These military-to-military exchanges have supported combatant command security cooperation objectives, promoted regional stability, and increased partner capacity and interoperability.

General Edwards has also overseen the missions of the Civil Air Patrol's Colorado Wing, consisting of more than 1,600 volunteers. Under his leadership, the Civil Air Patrol took on a bigger role in State response, flying fire watch, and conducting flood damage surveys.

Colorado's Civil Air Patrol was first to fly support of the U.S. Army's on-base unmanned aerial systems operations.

General Edwards has flown over 4,600 mishap-free flight hours in a variety of aircraft to include the AT–38, A–7, C–21, F–4, F–16, T–37 and T–38.

Of note, he has achieved the distinction of the wing's ''Top Gun'' award on five separate occasions in his decorated flying career.

Major Edwards has received numerous military decorations, including two Legion of Merit awards and three Meritorious Service medal awards, along with many others from the State of Colorado.

General Edwards' operational experience, charismatic leadership, and unyielding patriotism have served him well in a lifetime of military service, both in the Colorado Air National Guard and abroad.

Today we honor his distinguished service to our Nation as one of the most accomplished adjutant generals in Colorado history.

We offer our heartfelt appreciation to his family for their countless sacrifices and selfless support to our country spanning over four decades.

On behalf of the Senate and a grateful nation, I congratulate Maj. Gen. H. Michael Edwards on a job well done and wish him the very best as he begins a hard-earned retirement in the great State of Colorado.

I look forward to our continued friendship. Thank you.●

TRIBUTE TO ROBERT HOO

● Mr. HELLER. Mr. President, today I wish to recognize Robert Hoo, the founder of Nevadans for the Common Good, an organization dedicated to community and making the great State of Nevada a better place through public service. Robert was born and raised in China and moved to New York with his family after the Communist revolution. For the last 5 years, Robert has lived in Las Vegas and committed himself to the goals of his impressive organization.

Nevadans for the Common Good trains everyday citizens for public service, such as running for political office or becoming active on an issue. The organization is run by 40 generous institutions and is a collection of religious congregations, civic associations, professional organizations, schools, fraternities, sororities, and other community-based groups.

Robert understands the importance of a good and honest government that truly works for the people. Having experienced the impact of communism on his family in China, he only further appreciated American ideals, and these values fuel the work he does to this day.

Robert Hoo has taken public and community service very seriously. Before he moved to Nevada, Robert worked for a nonprofit organization in Connecticut and also for an organization that targeted neighborhood blight in East Brooklyn. The people of Nevada are very fortunate that Robert's journey took him to our State.

Lastly, Robert's dedication to finding common ground is truly admirable. In today's political environment, too often we focus on what divides us. Robert, on the other hand, chooses to focus on what unites us at the grassroots level and is committed to helping people solve real problems for others and themselves. The world needs more public servants that have Robert's dedication to helping others and making a difference.

I am both humbled and honored to acknowledge Robert Hoo for his outstanding work. His organization is making a difference for so many people who want to better our great State through public service. As the senior Senator from the great State of Nevada, I am proud to call Robert a Nevadan and applaud the work he has done and will continue to do for years to come.●

TRIBUTE TO BOBI PIKE-OATES

● Mr. HELLER. Mr. President, today I wish to recognize Bobi Pike-Oates of Las Vegas for her service to our country and to the great State of Nevada. Bobi Pike-Oates served in the U.S. Air Force for 23 years, retiring with the rank of senior master sergeant. Now, even in retirement, she remains active in various groups and dedicated to helping veterans and the community.

Bobi Pike-Oates traveled the world during her time in the Air Force, serving in Hungary for Operation Joint Endeavor and in Turkey for Operation Provide Comfort. Being so far from home was, of course, very difficult, and we cannot adequately repay Bobi for the sacrifices she made in order to serve our country.

Throughout her time in the Air Force, Bobi earned awards and received recognition for going above and beyond in her service. During her time at Nevada's own Nellis Air Force Base, Bobi received the Senior Noncommissioned Officer of the Year, as well as the Resource Advisor of the Year Air Warfare Center.

Even though she is now retired from the Air Force, Bobi Pike-Oates's commitment to serving her country remains just as strong. Currently, Bobi serves on various boards, commissions, and associations that help our veterans. Bobi is a board member for the Women Veterans of Nevada, a life member of the Air Forces Association, a charter member of the Women in Military Service for America, Air Force Sergeants Association, American Legion, life member of the Veterans of Foreign Wars, and a life member of the Disabled American Veterans. She also serves on the State of Nevada Women Veterans Advisory Committee. Through these various organizations, Bobi continues to make Nevada proud.

I am both humbled and honored to acknowledge Bobi Pike-Oates for her service to our country. Her sacrifices and continued commitment to helping those who served makes me proud, and it is an honor to call her a fellow Nevadan. As Nevada's senior Senator, I look forward to seeing her continue to inspire others and work to help fellow veterans who, like her, make it possible for us to live in the freest nation on Earth.●

MESSAGE FROM THE HOUSE

ENROLLED BILL AND JOINT RESOLUTIONS SIGNED

At 10:58 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill and joint resolutions:

S. 544. An act to amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the termination date for the Veterans Choice Program, and for other purposes.

S.J. Res. 30. Joint resolution providing for the reappointment of Steve Case as a citizen regent of the Board of Regents of the Smithsonian Institution.

S.J. Res. 35. Joint resolution providing for the appointment of Michael Govan as a citizen regent of the Board of Regents of the Smithsonian Institution.

S.J. Res. 36. Joint resolution providing for the appointment of Roger W. Ferguson as a citizen regent of the Board of Regent of the Smithsonian Institution.

The enrolled bill and joint resolutions were subsequently signed by the President pro tempore (Mr. HATCH).

MEASURES PLACED ON THE CALENDAR

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

S. 861. A bill to provide for the compensation of Federal employees affected by lapses in appropriations.

H.R. 1301. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, 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–1203. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Monoethanolamine; Exemption from the Requirement of a Tolerance'' (FRL No. 9949–11) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1204. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Acetamiprid; Pesticide Tolerances for Emergency Exemption'' (FRL No. 9959–90) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1205. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Samuel D. Cox, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–1206. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; SC; Infrastructure Requirements for the 2012 PM2.5 National Ambient Air Quality Standard'' (FRL No. 9960–92–Region 4) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC–1207. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; North Carolina; Motor Vehicle Emissions Control Program; Correcting Amendment'' (FRL No. 9960–94–Region 4) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC–1208. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Michigan; Part 9 Miscellaneous Rules; Correction'' (FRL No. 9960–49–Region 5) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC–1209. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Ohio; Removal of

Gasoline Volatility Requirements in the Cincinnati and Dayton Areas; Update on the Boutique Fuel List for Illinois and Ohio'' (FRL No. 9960–96–Region 5) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works .

EC–1210. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Indiana; Base Year Emissions Inventory and Emissions Statement Rule Certification for Lake and Porter Counties for the 2008 Ozone Standard'' (FRL No. 9960–90–Region 5) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC–1211. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Ohio; Redesignation of the Ohio Portion of the Cincinnati-Hamilton, OH–IN-KY Area to Attainment of the 1997 Annual Standard for Fine Particulate Matter'' (FRL No. 9960–82–Region 5) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC–1212. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Minnesota; Sulfur Dioxide Limits for Saint Paul Park Refining Co. LLC Facility'' (FRL No. 9960–88–Region 5) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC–1213. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Indiana; Redesignation of the Indiana Portion of the Cincinnati, Ohio-Kentucky-Indiana Area to Attainment of the 2008 Ozone Standard'' (FRL No. 9960–79–Region 5) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC–1214. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval and Air Quality Designation; KY; Redesignation of the Kentucky Portion of the Louisville 1997 Annual PM2.5 Nonattainment Area to Attainment'' (FRL No. 9960–55–Region 4) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC–1215. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Florida; Infrastructure Requirements for the 2012 PM2.5 NAAQS'' (FRL No. 9960–97–Region 4) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC–1216. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Reclassification of the Sheboygan, Wisconsin Area To Moderate Nonattainment for the 2008 Ozone National Ambient Air Quality Standards; Correction'' (FRL No. 9960–91–Region 5) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC–1217. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Indiana; Emissions Statements Rule'' (FRL No. 9960–78–Region 5) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC–1218. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Michigan; Transportation Conformity Procedures'' (FRL No. 9960–81–Region 5) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC–1219. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval Tennessee: Reasonable Measures Required'' (FRL No. 9960–57–Region 4) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC–1220. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Maine, New Hampshire, Rhode Island, and Vermont; Interstate Transport of Fine Particle and Ozone Air Pollution'' (FRL No. 9960–86–Region 1) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC–1221. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; NC; Infrastructure Requirements for the 2012 PM2.5 National Ambient Air Quality Standard'' (FRL No. 9960–95–Region 4) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC–1222. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Kentucky; Nonattainment New Source Review Requirements for the 2008 8-Hour Ozone NAAQS'' (FRL No. 9960–54–Region 4) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC–1223. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Georgia; Inspection and Maintenance Program Updates'' (FRL No. 9960–59–Region 4) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC–1224. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Washington: General Regulations for Air Pollution Sources, Southwest Clean Air Agency Jurisdiction'' (FRL No. 9960–83–Region 10) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC–1225. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Mercury and Air Toxics Standards (MATS) Electronic Reporting Requirements'' (FRL No. 9958–30–OAR) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Environment and Public Works.

EC–1226. A communication from the Chairman of the United States International Trade Commission, transmitting, pursuant to law, the Commission's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–1227. A communication from the Chairman of the Federal Communications Commission, transmitting, pursuant to law, the Commission's fiscal year 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–1228. A communication from the Director, Congressional Affairs and Public Relations, U.S. Trade and Development Agency, transmitting, pursuant to law, the Agency's 2016 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC–1229. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Elizabeth River, Elizabeth, NJ'' ((RIN1625–AA09) (Docket No. USCG–2017–0070)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1230. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Detroit River (Trenton Channel), Grosse Ile, MI'' ((RIN1625–AA09) (Docket No. USCG–2016–0988)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1231. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulation, 2017 Catano Offshore, San Juan Harbor, San Juan, PR'' ((RIN1625–AA08) (Docket No. USCG–2017–0255)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1232. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone; VIP Visits, Palm Beach, FL'' ((RIN1625–AA00) (Docket No. USCG–2017–0220)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1233. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone; USCGC MUNRO Commissioning Ceremony Elliott Bay; Seattle, WA'' ((RIN1625–AA00) (Docket No. USCG–2017–0261)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1234. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Charleston Race Week,

Charleston Harbor, Charleston, SC'' ((RIN1625–AA00) (Docket No. USCG–2017–0023)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1235. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone for Fireworks Display; Patapsco River, Inner Harbor, Baltimore, MD'' ((RIN1625–AA00) (Docket No. USCG–2017–0176)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1236. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Pacific Ocean, Kilauea Lava Flow Ocean Entry on Southeast Side of Island of Hawaii, HI'' ((RIN1625–AA00) (Docket No. USCG–2017–0172)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1237. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; San Francisco, CA'' ((RIN1625–AA00) (Docket No. USCG–2016–0836)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1238. A communication from the Assistant Chief Counsel for Regulatory Affairs, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Materials: Harmonization with International Standards (RRR)'' (RIN2137–AF18) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1239. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Implementation of the Federal Civil Penalties Inflation Adjustment Act Improvements Act for a Violation of a Federal Railroad Safety Law, Federal Railroad Administration Safety Regulation or Order, or the Hazardous Material Transportation Laws or Regulations, Orders, Special Permits, and Approvals Issued Under Those Laws'' (RIN2130–AC65) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1240. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–9069)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1241. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–6431)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1242. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–9051)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1243. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0922)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1244. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–8183)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1245. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–9054)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1246. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2017–0129)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1247. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–9068)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1248. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–8844)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1249. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–9300)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1250. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; CFM International S.A. Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2016–9128)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1251. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Textron Aviation Inc. (Type Certificate Previously Held by Cessna Aircraft Company) Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–3705)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1252. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Safran Helicopter Engines, S.A., Turboshaft Engines'' ((RIN2120–AA64) (Docket No. FAA–2017–0115)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1253. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pratt and Whitney Division Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2016–8836)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1254. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Sikorsky Aircraft Corporation Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2016–9291)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1255. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Fokker Services B.V. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–9302)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1256. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; BAE Systems (Operations) Limited Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–0457)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1257. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Part 95 Instrument Flight Rules; Miscellaneous Amendments; Amendment No. 532'' (RIN2120–AA63) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1258. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (73);

Amdt. No. 3735'' (RIN2120–AA65) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1259. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments (92); Amdt. No. 3737'' (RIN2120–AA65) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1260. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace, Manti, UT'' ((RIN2120–AA66) (Docket No. FAA–2016–8164)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1261. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace, Trinidad, CO'' ((RIN2120–AA66) (Docket No. FAA–2015–7115)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1262. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D and Class E Airspace; Elmira, NY'' ((RIN2120–AA66) (Docket No. FAA–2015–8128)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1263. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Air Traffic Service (ATS) Routes; Eastern United States'' ((RIN2120–AA66) (Docket No. FAA–2016–0986)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1264. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Air Traffic Service (ATS) Routes Q–917 and Q–923; Northcentral United States'' ((RIN2120–AA66) (Docket No. FAA–2017–0116)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1265. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Restricted Areas R–7201; Farallon De Medinilla Island, Mariana Islands'' ((RIN2120–AA66) (Docket No. FAA–2015–0739)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

EC–1266. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Extension of the Prohibition Against Certain Flights in the Tripoli (HLLL) Flight Information Region (FIR)'' ((RIN2120–AK99) (Docket No. FAA–2011–0246)) received in the Office of the President of the Senate on April 5, 2017; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CORKER, from the Committee on Foreign Relations, with amendments and with an amended preamble:

S. Res. 116. A resolution condemning the Assad regime for its continued use of chemical weapons against the Syrian people.

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. GRASSLEY (for himself and Mr. FRANKEN):

S. 888. A bill to amend the Higher Education Opportunity Act to add disclosure requirements to the institution financial aid offer form and to amend the Higher Education Act of 1965 to make such form mandatory; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GRASSLEY (for himself and Mr. FRANKEN):

S. 889. A bill to amend the Higher Education Act of 1965 to make technical improvements to the Net Price Calculator system so that prospective students may have a more accurate understanding of the true cost of college; to the Committee on Health, Education, Labor, and Pensions.

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

S. 890. A bill to grant the Congressional Gold Medal to the troops who defended Bataan during World War II; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MURPHY (for himself, Mr. BROWN, Mr. BLUMENTHAL, Ms. BALDWIN, and Mr. MERKLEY):

S. 891. A bill to amend title 10, United States Code, to require contracting officers to consider information regarding domestic employment before awarding a Federal defense contract, and for other purposes; to the Committee on Armed Services.

By Mrs. GILLIBRAND (for herself and Mr. MCCAIN):

S. 892. A bill to amend the Controlled Substances Act to establish additional registration requirements for prescribers of opioids, and for other purposes; to the Committee on the Judiciary.

By Mr. SHELBY:

S. 893. A bill to repeal the current Internal Revenue Code and replace it with a flat tax, thereby guaranteeing economic growth and fairness for all Americans; to the Committee on Finance.

By Mr. DAINES:

S. 894. A bill to amend title 40, United States Code, to provide requirements for the disposal of surplus Federal property relating to review of bidders and post-sale responsibilities; to the Committee on Environment and Public Works.

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

S. 895. A bill to require the Secretary of Energy to establish a comprehensive program to improve education and training for energy- and manufacturing-related jobs to increase the number of skilled workers trained to work in energy- and manufacturing-related fields, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BURR (for himself, Mr. BENNET, Ms. COLLINS, Mr. GARDNER, Mr. DAINES, Mrs. SHAHEEN, and Mr. HEINRICH):

S. 896. A bill to permanently reauthorize the Land and Water Conservation Fund; to the Committee on Energy and Natural Resources.

By Mrs. FEINSTEIN (for herself, Mr. LEAHY, Mr. BROWN, Mr. CARDIN, Mr. DURBIN, Mr. FRANKEN, Ms. KLOBUCHAR, Mr. MURPHY, Mrs. MURRAY, Mr. SANDERS, Mr. UDALL, Mr. WHITEHOUSE, Mr. MARKEY, and Mr. MERKLEY):

S. 897. A bill to protect civilians from cluster munitions, and for other purposes; to the Committee on Foreign Relations.

By Ms. KLOBUCHAR (for herself, Ms. COLLINS, and Ms. HEITKAMP):

S. 898. A bill to provide incentives to physicians to practice in rural and medically underserved communities, and for other purposes; to the Committee on the Judiciary.

By Ms. HIRONO (for herself, Mr. MORAN, and Mr. TESTER):

S. 899. A bill to amend title 38, United States Code, to ensure that the requirements that new Federal employees who are veterans with service-connected disabilities are provided leave for purposes of undergoing medical treatment for such disabilities apply to certain employees of the Veterans Health Administration, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. HIRONO (for herself, Mr. REED, Mr. FRANKEN, Ms. STABENOW, Mr. MARKEY, Mr. HEINRICH, and Ms. KLOBUCHAR):

S. 900. A bill to improve the Federal Pell Grant program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. HIRONO (for herself, Mr. ROUNDS, Ms. CANTWELL, Ms. HASSAN, Mrs. MURRAY, Mrs. SHAHEEN, Mr. SCHATZ, Mr. WARNER, Ms. COLLINS, and Mr. KAINE):

S. 901. A bill to prohibit any reduction in the amount of the per diem allowance to which members of the Army, Navy, Air Force, and Marine Corps or civilian employees of the Department of Defense are entitled based on the duration of temporary duty assignments or official travel, and for other purposes; to the Committee on Armed Services.

By Mrs. MCCASKILL (for herself and Mr. DAINES):

S. 902. A bill to amend the Homeland Security Act of 2002 to provide for certain acquisition authorities for the Under Secretary of Management of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

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

S. 903. A bill to amend the Caregivers and Veterans Omnibus Health Services Act of 2010 to extend and expand the pilot program on the use of community-based organizations and local and State government entities to ensure that veterans receive care and benefits for which they are eligible and for other purposes; to the Committee on Veterans' Affairs.

By Mr. GRASSLEY (for himself, Mrs. FEINSTEIN, Mr. SHELBY, Mr. WHITEHOUSE, and Mr. STRANGE):

S. 904. A bill to amend the Homeland Security Act of 2002 to authorize the National Computer Forensics Institute, and for other purposes; to the Committee on the Judiciary.

By Mr. CARDIN (for himself, Mr. RUBIO, Mr. CORKER, Mrs. SHAHEEN, Mr. MENENDEZ, and Mr. YOUNG):

S. 905. A bill to require a report on, and to authorize technical assistance for, accountability for war crimes, crimes against humanity, and genocide in Syria, and for other purposes; to the Committee on Foreign Relations.

By Mrs. MCCASKILL (for herself and Mr. DAINES):

S. 906. A bill to amend the Homeland Security Act of 2002 to provide for congressional notification regarding major acquisition program breaches, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. MURKOWSKI:

S. 907. A bill to authorize the modification of the Second Division Memorial, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. STABENOW (for herself, Mr. PETERS, and Ms. BALDWIN):

S. 908. A bill to amend chapter 83 of title 41, United States Code, to increase the requirement for American-made content, to strengthen the waiver provisions, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. THUNE:

S. 909. A bill to amend the Food Security Act of 1985 to extend and improve conservation programs, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SCHUMER (for himself, Mr. CASEY, and Ms. WARREN):

S. 910. A bill to prohibit discrimination against individuals with disabilities who need long-term services and supports, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself and Mr. TOOMEY):

S. 911. A bill to direct the Administrator of the Federal Aviation Administration to issue an order with respect to secondary cockpit barriers, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Ms. KLOBUCHAR (for herself and Mr. BURR):

S. Res. 122. A resolution designating April 2017 as ''National 9–1–1 Education Month'' ; to the Committee on the Judiciary.

By Mr. WYDEN (for himself, Mr. ALEXANDER, Mr. HEINRICH, Mr. PORTMAN, Mr. BOOKER, and Ms. HIRONO):

S. Res. 123. A resolution designating May 20, 2017, as ''Kids to Parks Day''; to the Committee on the Judiciary.

By Mr. MERKLEY (for himself, Ms. MURKOWSKI, Mr. WHITEHOUSE, Mr. BOOKER, Mr. COONS, Mr. BLUMENTHAL, Ms. STABENOW, Mr. BROWN, Ms. HIRONO, Mr. WYDEN, Ms. KLOBUCHAR, Mr. CASSIDY, Ms. HASSAN, Mr. FRANKEN, Mr. LEAHY, Mrs. SHAHEEN, Mr. PETERS, Mr. SCHATZ, Mr. KAINE, Mr. NELSON, Mr. SANDERS, Mr. MARKEY, Mr. MURPHY, Mr. CARDIN, Ms. CANTWELL, and Mrs. FEINSTEIN):

S. Res. 124. A resolution expressing the sense of the Senate that the National Sea Grant College Program is a valuable program that protects and enhances the coastal communities and economy of the United States; to the Committee on Commerce, Science, and Transportation.

By Mr. UDALL (for himself, Mr. WHITEHOUSE, Mr. MARKEY, Ms. HEITKAMP, Ms. WARREN, Mr. CARDIN, Mr. KING, Mrs. SHAHEEN, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Mr. HEINRICH, Mr. FRANKEN, Mrs. MURRAY, Mr. BROWN, and Mr. VAN HOLLEN):

S. Res. 125. A resolution supporting the goals and ideals of National Public Health Week; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARPER (for himself, Mr. HELLER, Mr. MARKEY, and Mr. ENZI):

S. Res. 126. A resolution expressing support for the designation of the week of April 10 through April 14, 2017 as ''National Assistant Principals Week''; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BURR (for himself and Ms. HEITKAMP):

S. Res. 127. A resolution supporting the goals and ideals of Take Our Daughters and Sons To Work Day; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARDIN (for himself and Mr. STRANGE):

S. Res. 128. A resolution designating April 2017 as ''National Congenital Diaphragmatic Hernia Awareness Month''; to the Committee on the Judiciary.

By Mr. PORTMAN (for himself, Ms. KLOBUCHAR, Mr. LANKFORD, and Mr. DURBIN):

S. Res. 129. A resolution designating April 2017 as ''Second Chance Month''; to the Committee on the Judiciary.

By Mr. BOOZMAN (for himself, Mr. RISCH, Mr. COONS, Mr. CASSIDY, Ms. BALDWIN, Mr. ROBERTS, Mr. PETERS, and Mr. KAINE):

S. Res. 130. A resolution expressing gratitude and appreciation for the entry of the United States into World War I; to the Committee on Foreign Relations.

By Mr. GRASSLEY (for himself, Mr. LEAHY, Mr. CRAPO, and Mrs. FEINSTEIN):

S. Res. 131. A resolution supporting the mission and goals of National Crime Victims' Rights Week in 2017, which include increasing public awareness of the rights, needs, and concerns of, and services available to assist, victims and survivors of crime in the United States; to the Committee on the Judiciary.

By Mr. PORTMAN (for himself and Mr. BROWN):

S. Res. 132. A resolution congratulating the Ashland University women's basketball team for winning the 2017 National Collegiate Athletic Association division II championship; to the Committee on Commerce, Science, and Transportation.

By Mr. BURR (for himself and Mr. TILLIS):

S. Res. 133. A resolution congratulating the University of North Carolina Tar Heels basketball team for winning the 2016–2017 National Collegiate Athletic Association men's basketball national championship; to the Committee on Commerce, Science, and Transportation.

By Mr. SCOTT (for himself and Mr. GRAHAM):

S. Res. 134. A resolution congratulating the University of South Carolina women's basketball team for winning the 2017 National Collegiate Athletic Association Division I Women's Basketball Tournament Championship; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 26

At the request of Mr. WYDEN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 26, a bill to amend the Ethics in Government Act of 1978 to require the disclosure of certain tax returns by Presidents and certain candidates for the office of the President, and for other purposes.

S. 234

At the request of Mr. DONNELLY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 234, a bill to provide incentives for businesses to keep jobs in America.

S. 253

At the request of Mr. CARDIN, the names of the Senator from Hawaii (Ms. HIRONO) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 253, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 339

At the request of Mr. NELSON, the names of the Senator from Arkansas (Mr. BOOZMAN), the Senator from Pennsylvania (Mr. CASEY) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 339, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 474

At the request of Mr. GRAHAM, the names of the Senator from Maine (Ms. COLLINS) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. 474, a bill to condition assistance to the West Bank and Gaza on steps by the Palestinian Authority to end violence and terrorism against Israeli citizens.

S. 477

At the request of Mr. DURBIN, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Michigan (Ms. STABENOW), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 477, a bill to amend the Public Health Service Act to coordinate Federal congenital heart disease research and surveillance efforts and to improve public education and awareness of congenital heart disease, and for other purposes.

S. 479

At the request of Mr. BROWN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 479, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 493

At the request of Mr. RUBIO, the names of the Senator from Texas (Mr. CRUZ) and the Senator from Montana (Mr. DAINES) were added as cosponsors

of S. 493, a bill to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes.

S. 591

At the request of Mrs. MURRAY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 591, a bill to expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, to expand benefits available to participants under such program, to enhance special compensation for members of the uniformed services who require assistance in everyday life, and for other purposes.

S. 593

At the request of Mrs. CAPITO, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 593, a bill to amend the Pittman-Robertson Wildlife Restoration Act to facilitate the establishment of additional or expanded public target ranges in certain States.

S. 792

At the request of Mr. TILLIS, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 792, a bill to amend the Immigration and Nationality Act to establish an H–2B temporary non-agricultural work visa program, and for other purposes.

S. 815

At the request of Mr. NELSON, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 815, a bill to amend titles XVIII and XIX of the Social Security Act to make premium and cost-sharing subsidies available to low-income Medicare part D beneficiaries who reside in Puerto Rico or another territory of the United States.

S. 828

At the request of Mr. ROUNDS, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 828, a bill to amend the Federal Deposit Insurance Act to require the appropriate Federal banking agencies to treat certain municipal obligations as level 2B liquid assets, and for other purposes.

S. 829

At the request of Mr. MCCAIN, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 829, a bill to reauthorize the Assistance to Firefighters Grants program, the Fire Prevention and Safety Grants program, and the Staffing for Adequate Fire and Emergency Response grant program, and for other purposes.

S. 870

At the request of Mr. HATCH, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Louisiana (Mr. CASSIDY) were added as cosponsors of S. 870, a bill to amend title XVIII of the Social Security Act to implement Medicare payment policies designed to improve management of chronic disease, streamline care coordination, and improve quality outcomes without adding to the deficit.

S. 881

At the request of Ms. WARREN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 881, a bill to reduce risks to the financial system by limiting banks' ability to engage in certain risky activities and limiting conflicts of interest, to reinstate certain Glass-Steagall Act protections that were repealed by the Gramm-Leach-Bliley Act, and for other purposes.

S. CON. RES. 7

At the request of Mr. ROBERTS, the names of the Senator from Ohio (Mr. BROWN) and the Senator from South Dakota (Mr. ROUNDS) were added as cosponsors of S. Con. Res. 7, a concurrent resolution expressing the sense of Congress that tax-exempt fraternal benefit societies have historically provided and continue to provide critical benefits to the people and communities of the United States.

S. CON. RES. 12

At the request of Mr. GRASSLEY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. Con. Res. 12, a concurrent resolution expressing the sense of Congress that those who served in the bays, harbors, and territorial seas of the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975, should be presumed to have served in the Republic of Vietnam for all purposes under the Agent Orange Act of 1991.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SCHUMER (for himself, Mr. CASEY, and Ms. WARREN):

S. 910. A bill to prohibit discrimination against individuals with disabilities who need long-term services and supports, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. SCHUMER. 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. 910

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 ''Disability Integration Act of 2017''.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) In enacting the Americans with Disabilities Act of 1990 (referred to in this Act as the ''ADA''), Congress—

(A) recognized that ''historically, society has tended to isolate and segregate individuals with disabilities, and, despite some improvements, such forms of discrimination against individuals with disabilities continue to be a serious and pervasive social problem''; and

(B) intended that the ADA assure ''full participation'' and ''independent living'' for individuals with disabilities by addressing ''discrimination against individuals with disabilities [that] persists in critical areas'', including institutionalization.

(2) While Congress expected that the ADA's integration mandate would be interpreted in a manner that ensures that individuals who are eligible for institutional placement are able to exercise a right to community-based long-term services and supports, that expectation has not been fulfilled.

(3) The holdings of the Supreme Court in Olmstead v. L.C., 527 U.S. 581 (1999), and companion cases, have clearly articulated that individuals with disabilities have a civil right under the ADA to participate in society as equal citizens. However, many States still do not provide sufficient community-based long-term services and supports to individuals with disabilities to end segregation in institutions.

(4) The right to live in the community is necessary for the exercise of the civil rights that the ADA was intended to secure for all individuals with disabilities. The lack of adequate community-based services and supports has imperiled the civil rights of all individuals with disabilities, and has undermined the very promise of the ADA. It is, therefore, necessary to recognize in statute a robust and fully articulated right to community living.

(5) States, with a few exceptions, continue to approach decisions regarding long-term services and supports from social welfare and budgetary perspectives, but for the promise of the ADA to be fully realized, States must approach these decisions from a civil rights perspective.

(6) States have not consistently planned to ensure sufficient services and supports for individuals with disabilities, including those with the most significant disabilities, to enable individuals with disabilities to live in the most integrated setting. As a result, many individuals with disabilities who reside in institutions are prevented from residing in the community and individuals with disabilities who are not in institutions find themselves at risk of institutional placement.

(7) The continuing existence of unfair and unnecessary institutionalization denies individuals with disabilities the opportunity to live and participate on an equal basis in the community and costs the United States billions of dollars in unnecessary spending related to perpetuating dependency and unnecessary confinement.

(b) PURPOSES.—The purposes of this Act are—

(1) to clarify and strengthen the ADA's integration mandate in a manner that accelerates State compliance;

(2) to clarify that every individual who is eligible for long-term services and supports has a Federally protected right to be meaningfully integrated into that individual's community and receive community-based long-term services and supports;

(3) to ensure that States provide long-term services and supports to individuals with disabilities in a manner that allows individuals with disabilities to live in the most integrated setting, including the individual's own home, have maximum control over their services and supports, and ensure that long-term services and supports are provided in a manner that allows individuals with disabilities to lead an independent life;

(4) to establish a comprehensive State planning requirement that includes enforceable, measurable objectives that are designed to transition individuals with all types of disabilities at all ages out of institutions and into the most integrated setting; and

(5) to establish a requirement for clear and uniform annual public reporting by States that includes reporting about—

(A) the number of individuals with disabilities who are served in the community and the number who are served in institutions; and

(B) the number of individuals with disabilities who have transitioned from an institution to a community-based living situation, and the type of community-based living situation into which those individuals have transitioned.

SEC. 3. DEFINITIONS AND RULE.

(a) DEFINITIONS.—In this Act:

(1) ACTIVITIES OF DAILY LIVING.—The term ''activities of daily living'' has the meaning given the term in section 441.505 of title 42, Code of Federal Regulations (or a successor regulation).

(2) ADMINISTRATOR.—The term ''Administrator'' means—

(A) the Administrator of the Administration for Community Living; or

(B) another designee of the Secretary of Health and Human Services.

(3) COMMUNITY-BASED.—The term ''community-based'', when used in reference to services or supports, means services or supports that are provided to an individual with an LTSS disability to enable that individual to live in the community and lead an independent life, and that are delivered in whichever setting the individual with an LTSS disability has chosen out of the following settings with the following qualities:

(A) In the case of a dwelling or a nonresidential setting (such as a setting in which an individual with an LTSS disability receives day services and supported employment), a dwelling or setting—

(i) that, as a matter of infrastructure, environment, amenities, location, services, and features, is integrated into the greater community and supports, for each individual with an LTSS disability who receives services or supports at the setting—

(I) full access to the greater community (including access to opportunities to seek employment and work in competitive integrated settings, engage in community life, control personal resources, and receive services in the community); and

(II) access to the greater community to the same extent as access to the community is enjoyed by an individual who is not receiving long-term services or supports;

(ii) that the individual has selected as a meaningful choice from among nonresidential setting options, including nondisability-specific settings;

(iii) in which an individual has rights to privacy, dignity, and respect, and freedom from coercion and restraint;

(iv) that, as a matter of infrastructure, environment, amenities, location, services, and features, optimizes, but does not regiment, individual initiative, autonomy, and independence in making life choices, including choices about daily activities, physical environment, and persons with whom the individual interacts; and

(v) that, as a matter of infrastructure, environment, amenities, location, services, and features, facilitates individual choice regarding the provision of services and supports, and who provides those services and supports.

(B) In the case of a dwelling, a dwelling—

(i) that is owned by an individual with an LTSS disability or the individual's family member;

(ii) that is leased to the individual with an LTSS disability under an individual lease, that has lockable access and egress, and that includes living, sleeping, bathing, and cooking areas over which an individual with an LTSS disability or the individual's family member has domain and control; or

(iii) that is a group or shared residence—

(I) in which no more than 4 unrelated individuals with an LTSS disability reside;

(II) for which each individual with an LTSS disability living at the residence owns, rents, or occupies the residence under a legally enforceable agreement under which the individual has, at a minimum, the same responsibilities and protections as tenants have under applicable landlord-tenant law;

(III) in which each individual with an LTSS disability living at the residence—

(aa) has privacy in the individual's sleeping unit, including a lockable entrance door controlled by the individual;

(bb) shares a sleeping unit only if such individual and the individual sharing the unit choose to do so, and if individuals in the residence so choose, they also have a choice of roommates within the residence;

(cc) has the freedom to furnish and decorate the individual's sleeping or living unit as permitted under the lease or other agreement;

(dd) has the freedom and support to control the individual's own schedules and activities; and

(ee) is able to have visitors of the individual's choosing at any time; and

(IV) that is physically accessible to the individual with an LTSS disability living at the residence.

(4) DWELLING.—The term ''dwelling'' has the meaning given the term in section 802 of the Fair Housing Act (42 U.S.C. 3602).

(5) HEALTH-RELATED TASKS.—The term ''health-related tasks'' means specific nonacute tasks, typically regulated by States as medical or nursing tasks that an individual with a disability may require to live in the community, including—

(A) administration of medication;

(B) assistance with use, operation, and maintenance of a ventilator; and

(C) maintenance and use of a gastrostomy tube, a catheter, or a stable ostomy.

(6) INDIVIDUAL WITH A DISABILITY.—The term ''individual with a disability'' means an individual who is a person with a disability, as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102).

(7) INDIVIDUAL WITH AN LTSS DISABILITY.—The term ''individual with an LTSS disability'' means an individual with a disability who—

(A) in order to live in the community and lead an independent life requires assistance in accomplishing—

(i) activities of daily living;

(ii) instrumental activities of daily living;

(iii) health-related tasks; or

(iv) other functions, tasks, or activities related to an activity or task described in clause (i), (ii), or (iii); and

(B)(i) is currently in an institutional placement; or

(ii) is at risk of institutionalization if the individual does not receive community-based long-term services and supports.

(8) INSTRUMENTAL ACTIVITIES OF DAILY LIVING.—

(A) IN GENERAL.—The term ''instrumental activities of daily living'' means 1 or more activities related to living independently in the community, including activities related to—

(i) nutrition, such as preparing meals or special diets, monitoring to prevent choking or aspiration, or assisting with special utensils;

(ii) household chores and environmental maintenance tasks;

(iii) communication and interpersonal skills, such as—

(I) using the telephone or other communications devices;

(II) forming and maintaining interpersonal relationships; or

(III) securing opportunities to participate in group support or peer-to-peer support arrangements;

(iv) travel and community participation, such as shopping, arranging appointments, or moving around the community;

(v) care of others, such as raising children, taking care of pets, or selecting caregivers; or

(vi) management of personal property and personal safety, such as—

(I) taking medication;

(II) handling or managing money; or

(III) responding to emergent situations or unscheduled needs requiring an immediate response.

(B) ASSISTANCE.—The term ''assistance'' used with respect to instrumental activities of daily living, includes support provided to an individual by another person due to confusion, dementia, behavioral symptoms, or cognitive, intellectual, mental, or emotional disabilities, including support to—

(i) help the individual identify and set goals, overcome fears, and manage transitions;

(ii) help the individual with executive functioning, decisionmaking, and problem solving;

(iii) provide reassurance to the individual; and

(iv) help the individual with orientation, memory, and other activities related to independent living.

(9) LONG-TERM SERVICE OR SUPPORT.—The terms ''long-term service or support'' and ''LTSS'' mean the assistance provided to an individual with a disability in accomplishing, acquiring the means or ability to accomplish, maintaining, or enhancing—

(A) activities of daily living;

(B) instrumental activities of daily living;

(C) health-related tasks; or

(D) other functions, tasks, or activities related to an activity or task described in subparagraph (A), (B), or (C).

(10) LTSS INSURANCE PROVIDER.—The term ''LTSS insurance provider'' means a public or private entity that—

(A) provides funds for long-term services and supports; and

(B) is engaged in commerce or in an industry or activity affecting commerce.

(11) PUBLIC ENTITY.—

(A) IN GENERAL.—The term ''public entity'' means an entity that—

(i) provides or funds institutional placements for individuals with LTSS disabilities; and

(ii) is—

(I) a State or local government; or

(II) any department, agency, entity administering a special purpose district, or other instrumentality, of a State or local government.

(B) INTERSTATE COMMERCE.—For purposes of subparagraph (A), a public entity shall be considered to be a person engaged in commerce or in an industry or activity affecting commerce.

(b) RULE OF CONSTRUCTION.—Nothing in subsection (a)(2) or any other provision of this section shall be construed to preclude an individual with a disability from receiving community-based services and supports in an integrated community setting such as a grocery store, retail establishment, restaurant,

bank, park, concert venue, theater, or workplace.

SEC. 4. DISCRIMINATION.

(a) IN GENERAL.—No public entity or LTSS insurance provider shall deny an individual with an LTSS disability who is eligible for institutional placement, or otherwise discriminate against that individual in the provision of, community-based long-term services and supports that enable the individual to live in the community and lead an independent life.

(b) SPECIFIC PROHIBITIONS.—For purposes of this Act, discrimination by a public entity or LTSS insurance provider includes—

(1) the imposition or application of eligibility criteria or another policy that prevents or tends to prevent an individual with an LTSS disability, or any class of individuals with LTSS disabilities, from receiving a community-based long-term service or support;

(2) the imposition or application of a policy or other mechanism, such as a service or cost cap, that prevent or tends to prevent an individual with an LTSS disability, or any class of individuals with LTSS disabilities, from receiving a community-based long-term service or support;

(3) a failure to provide a specific community-based long-term service or support or a type of community-based long-term service or support needed for an individual with an LTSS disability, or any class of individuals with LTSS disabilities;

(4) the imposition or application of a policy, rule, regulation, or restriction that interferes with the opportunity for an individual with an LTSS disability, or any class of individuals with LTSS disabilities, to live in the community and lead an independent life, which may include a requirement that an individual with an LTSS disability receive a service or support (such as day services or employment services) in a congregate or disability-specific setting;

(5) the imposition or application of a waiting list or other mechanism that delays or restricts access of an individual with an LTSS disability to a community-based long-term service or support;

(6) a failure to establish an adequate rate or other payment structure that is necessary to ensure the availability of a workforce sufficient to support an individual with an LTSS disability in living in the community and leading an independent life;

(7) a failure to provide community-based services and supports, on an intermittent, short-term, or emergent basis, that assist an individual with an LTSS disability to live in the community and lead an independent life;

(8) the imposition or application of a policy, such as a requirement that an individual utilize informal support, that restricts, limits, or delays the ability of an individual with an LTSS disability to secure a community-based long-term service or support to live in the community or lead an independent life;

(9) a failure to implement a formal procedure and a mechanism to ensure that—

(A) individuals with LTSS disabilities are offered the alternative of community-based long-term services and supports prior to institutionalization; and

(B) if selected by an individual with an LTSS disability, the community-based long-term services and supports described in subparagraph (A) are provided;

(10) a failure to ensure that each institutionalized individual with an LTSS disability is regularly notified of the alternative of community-based long-term services and supports and that those community-based long-term services and supports are provided if the individual with an LTSS disability selects such services and supports; and

(11) a failure to make a reasonable modification in a policy, practice, or procedure, when such modification is necessary to allow an individual with an LTSS disability to receive a community-based long-term service or support.

(c) ADDITIONAL PROHIBITION.—For purposes of this Act, discrimination by a public entity also includes a failure to ensure that there is sufficient availability of affordable, accessible, and integrated housing to allow an individual with an LTSS disability to choose to live in the community and lead an independent life, including the availability of an option to live in housing where the receipt of LTSS is not tied to tenancy.

(d) CONSTRUCTION.—Nothing in this section—

(1) shall be construed—

(A) to prevent a public entity or LTSS insurance provider from providing community-based long-term services and supports at a level that is greater than the level that is required by this section; or

(B) to limit the rights of an individual with a disability under any provision of law other than this section; or

(2) (including subsection (b)(3)) shall be construed to prohibit a public entity or LTSS insurance provider from using managed care techniques, as long as an individual described in subsection (a) whose care is managed through such techniques receives the services and supports described in subsection (a).

SEC. 5. ADMINISTRATION.

(a) AUTHORITY AND RESPONSIBILITY.—

(1) DEPARTMENT OF JUSTICE.—The Attorney General shall—

(A) investigate and take enforcement action for violations of this Act; and

(B) enforce section 6(c).

(2) DEPARTMENT OF HEALTH AND HUMAN SERVICES.—The Secretary of Health and Human Services, through the Administrator, shall—

(A) conduct studies regarding the nature and extent of institutionalization of individuals with LTSS disabilities in representative communities, including urban, suburban, and rural communities, throughout the United States;

(B) publish and disseminate reports, recommendations, and information derived from such studies, including an annual report to Congress, specifying—

(i) the nature and extent of progress in the United States in eliminating institutionalization for individuals with LTSS disabilities in violation of this Act and furthering the purposes of this Act;

(ii) obstacles that remain in the effort to achieve the provision of community-based long-term services and supports for all individuals with LTSS disabilities; and

(iii) recommendations for further legislative or executive action;

(C) cooperate with, and provide technical assistance to, Federal, State, and local public or private agencies and organizations that are formulating or carrying out programs to prevent or eliminate institutionalization of individuals with LTSS disabilities or to promote the provision of community-based long-term services and supports;

(D) implement educational and conciliatory activities to further the purposes of this Act; and

(E) refer information on violations of this Act to the Attorney General for investigation and enforcement action under this Act.

(b) COOPERATION OF EXECUTIVE DEPARTMENTS AND AGENCIES.—Each Federal agency and, in particular, each Federal agency covered by Executive Order 13217 (66 Fed. Reg. 33155; relating to community-based alternatives for individuals with disabilities), shall carry out programs and activities relating to the institutionalization of individuals with LTSS disabilities and the provision of community-based long-term services and supports for individuals with LTSS disabilities in accordance with this Act and shall cooperate with the Attorney General and the Administrator to further the purposes of this Act.

SEC. 6. REGULATIONS.

(a) ISSUANCE OF REGULATIONS.—Not later than 24 months after the date of enactment of this Act, the Attorney General and the Secretary of Health and Human Services shall issue, in accordance with section 553 of title 5, United States Code, final regulations to carry out this Act, which shall include the regulations described in subsection (b).

(b) REQUIRED CONTENTS OF REGULATIONS.—

(1) ELIGIBLE RECIPIENTS OF SERVICE.—The regulations shall require each public entity and LTSS insurance provider to offer, and, if accepted, provide community-based long-term services and supports as required under this Act to any individual with an LTSS disability who would otherwise qualify for institutional placement provided or funded by the public entity or LTSS insurance provider.

(2) SERVICES TO BE PROVIDED.—The regulations issued under this section shall require each public entity and LTSS insurance provider to provide the Attorney General and the Administrator with an assurance that the public entity or LTSS insurance provider—

(A) ensures that individuals with LTSS disabilities receive assistance through hands-on assistance, training, cueing, and safety monitoring, including access to backup systems, with—

(i) activities of daily living;

(ii) instrumental activities of daily living;

(iii) health-related tasks; or

(iv) other functions, tasks, or activities related to an activity or task described in clause (i), (ii), or (iii);

(B) coordinates, conducts, performs, provides, or funds discharge planning from acute, rehabilitation, and long-term facilities to promote individuals with LTSS disabilities living in the most integrated setting chosen by the individuals;

(C) issues, conducts, performs, provides, or funds policies and programs to promote self-direction and the provision of consumer-directed services and supports for all populations of individuals with LTSS disabilities served;

(D) issues, conducts, performs, provides, or funds policies and programs to support informal caregivers who provide services for individuals with LTSS disabilities; and

(E) ensures that individuals with all types of LTSS disabilities are able to live in the community and lead an independent life, including ensuring that the individuals have maximum control over the services and supports that the individuals receive, choose the setting in which the individuals receive those services and supports, and exercise control and direction over their own lives.

(3) PUBLIC PARTICIPATION.—

(A) PUBLIC ENTITY.—The regulations issued under this section shall require each public entity to carry out an extensive public participation process in preparing the public entity's self-evaluation under paragraph (5) and transition plan under paragraph (10).

(B) LTSS INSURANCE PROVIDER.—The regulations issued under this section shall require each LTSS insurance provider to carry out a public participation process that involves holding a public hearing, providing an

opportunity for public comment, and consulting with individuals with LTSS disabilities, in preparing the LTSS insurance provider's self-evaluation under paragraph (5).

(C) PROCESS.—In carrying out a public participation process under subparagraph (A) or (B), a public entity or LTSS insurance provider shall ensure that the process meets the requirements of subparagraphs (A) and (C) of section 1115(d)(2) of the Social Security Act (42 U.S.C. 1315(d)(2)), except that—

(i) the reference to ''at the State level'' shall be disregarded; and

(ii) the reference to an application shall be considered to be a reference to the self-evaluation or plan involved.

(4) ADDITIONAL SERVICES AND SUPPORTS.—The regulations issued under this section shall establish circumstances under which a public entity shall provide community-based long-term services and supports under this section beyond the level of community-based long-term services and supports which would otherwise be required under this subsection.

(5) SELF-EVALUATION.—

(A) IN GENERAL.—The regulations issued under this section shall require each public entity and each LTSS insurance provider, not later than 30 months after the date of enactment of this Act, to evaluate current services, policies, and practices, and the effects thereof, that do not or may not meet the requirements of this Act and, to the extent modification of any such services, policies, and practices is required to meet the requirements of this Act, make the necessary modifications. The self-evaluation shall include—

(i) collection of baseline information, including the numbers of individuals with LTSS disabilities in various institutional and community-based settings served by the public entity or LTSS insurance provider;

(ii) a review of community capacity, in communities served by the entity or provider, in providing community-based long-term services and supports;

(iii) identification of improvements needed to ensure that all community-based long-term services and supports provided by the public entity or LTSS insurance provider to individuals with LTSS disabilities are comprehensive, are accessible, are not duplicative of existing (as of the date of the identification) services and supports, meet the needs of persons who are likely to require assistance in order to live, or lead a life, as described in section 4(a), and are high-quality services and supports, which may include identifying system improvements that create an option to self-direct receipt of such services and supports for all populations of such individuals served; and

(iv) a review of funding sources for community-based long-term services and supports and an analysis of how those funding sources could be organized into a fair, coherent system that affords individuals reasonable and timely access to community-based long-term services and supports.

(B) PUBLIC ENTITY.—A public entity, including a LTSS insurance provider that is a public entity, shall—

(i) include in the self-evaluation described in subparagraph (A)—

(I) an assessment of the availability of accessible, affordable transportation across the State involved and whether transportation barriers prevent individuals from receiving long-term services and supports in the most integrated setting; and

(II) an assessment of the availability of integrated employment opportunities in the jurisdiction served by the public entity for individuals with LTSS disabilities; and

(ii) provide the self-evaluation described in subparagraph (A) to the Attorney General and the Administrator.

(C) LTSS INSURANCE PROVIDER.—A LTSS insurance provider shall keep the self-evaluation described in subparagraph (A) on file, and may be required to produce such self-evaluation in the event of a review, investigation, or action described in section 8.

(6) ADDITIONAL REQUIREMENT FOR PUBLIC ENTITIES.—The regulations issued under this section shall require a public entity, in conjunction with the housing agencies serving the jurisdiction served by the public entity, to review and improve community capacity, in all communities throughout the entirety of that jurisdiction, in providing affordable, accessible, and integrated housing, including an evaluation of available units, unmet need, and other identifiable barriers to the provision of that housing. In carrying out that improvement, the public entity, in conjunction with such housing agencies, shall—

(A) ensure, and assure the Administrator and the Attorney General that there is, sufficient availability of affordable, accessible, and integrated housing in a setting that is not a disability-specific residential setting or a setting where services are tied to tenancy, in order to provide individuals with LTSS disabilities a meaningful choice in their housing;

(B) in order to address the need for affordable, accessible, and integrated housing—

(i) in the case of such a housing agency, establish relationships with State and local housing authorities; and

(ii) in the case of the public entity, establish relationships with State and local housing agencies, including housing authorities;

(C) establish, where needed, necessary preferences and set-asides in housing programs for individuals with LTSS disabilities who are transitioning from or avoiding institutional placement;

(D) establish a process to fund necessary home modifications so that individuals with LTSS disabilities can live independently; and

(E) ensure, and assure the Administrator and the Attorney General, that funds and programs implemented or overseen by the public entity or in the public entity's jurisdiction are targeted toward affordable, accessible, integrated housing for individuals with an LTSS disability who have the lowest income levels in the jurisdiction as a priority over any other development until capacity barriers for such housing are removed or unmet needs for such housing have been met.

(7) DESIGNATION OF RESPONSIBLE EMPLOYEE.—The regulations issued under this section shall require each public entity and LTSS insurance provider to designate at least one employee to coordinate the entity's or provider's efforts to comply with and carry out the entity or provider's responsibilities under this Act, including the investigation of any complaint communicated to the entity or provider that alleges a violation of this Act. Each public entity and LTSS insurance provider shall make available to all interested individuals the name, office address, and telephone number of the employee designated pursuant to this paragraph.

(8) GRIEVANCE PROCEDURES.—The regulations issued under this section shall require public entities and LTSS insurance providers to adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging a violation of this Act.

(9) PROVISION OF SERVICE BY OTHERS.—The regulations issued under this section shall require each public entity submitting a self-evaluation under paragraph (5) to identify, as part of the transition plan described in paragraph (10), any other entity that is, or acts as, an agent, subcontractor, or other instrumentality of the public entity with regards to a service, support, policy, or practice described in such plan or self-evaluation.

(10) TRANSITION PLANS.—The regulations issued under this section shall require each public entity, not later than 42 months after the date of enactment of this Act, to submit to the Administrator, and begin implementing, a transition plan for carrying out this Act that establishes the achievement of the requirements of this Act, as soon as practicable, but in no event later than 12 years after the date of enactment of this Act. The transition plan shall—

(A) establish measurable objectives to address the barriers to community living identified in the self-evaluation under paragraph (5);

(B) establish specific annual targets for the transition of individuals with LTSS disabilities, and shifts in funding, from institutional settings to integrated community-based services and supports, and related programs; and

(C) describe the manner in which the public entity has obtained or plans to obtain necessary funding and resources needed for implementation of the plan (regardless of whether the entity began carrying out the objectives of this Act prior to the date of enactment of this Act).

(11) ANNUAL REPORTING.—

(A) IN GENERAL.—The regulations issued under this section shall establish annual reporting requirements for each public entity covered by this section.

(B) PROGRESS ON OBJECTIVES AND TARGETS.—The regulations issued under this section shall require each public entity that has submitted a transition plan to submit to the Administrator an annual report on the progress the public entity has made during the previous year in meeting the measurable objectives and specific annual targets described in subparagraphs (A) and (B) of paragraph (10).

(12) OTHER PROVISIONS.—The regulations issued under this section shall include such other provisions and requirements as the Attorney General and the Secretary of Health and Human Services determine are necessary to carry out the objectives of this Act.

(c) REVIEW OF TRANSITION PLANS.—

(1) GENERAL RULE.—The Administrator shall review a transition plan submitted in accordance with subsection (b)(10) for the purpose of determining whether such plan meets the requirements of this Act, including the regulations issued under this section.

(2) DISAPPROVAL.—If the Administrator determines that a transition plan reviewed under this subsection fails to meet the requirements of this Act, the Administrator shall disapprove the transition plan and notify the public entity that submitted the transition plan of, and the reasons for, such disapproval.

(3) MODIFICATION OF DISAPPROVED PLAN.—Not later than 90 days after the date of disapproval of a transition plan under this subsection, the public entity that submitted the transition plan shall modify the transition plan to meet the requirements of this section and shall submit to the Administrator, and commence implementation of, such modified transition plan.

(4) INCENTIVES.—

(A) DETERMINATION.—For 10 years after the issuance of the regulations described in subsection (a), the Secretary of Health and Human Services shall annually determine whether each State, or each other public entity in the State, is complying with the transition plan or modified transition plan the State or other public entity submitted, and obtained approval for, under this section. Notwithstanding any other provision of law,

if the Secretary of Health and Human Services determines under this subparagraph that the State or other public entity is complying with the corresponding transition plan, the Secretary shall make the increase described in subparagraph (B).

(B) INCREASE IN FMAP.—On making the determination described in subparagraph (A) for a public entity (including a State), the Secretary of Health and Human Services shall, as described in subparagraph (C), increase by 5 percentage points the FMAP for the State in which the public entity is located for amounts expended by the State for medical assistance consisting of home and community-based services furnished under the State Medicaid plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) or a waiver of such plan—

(i) that—

(I) are identified by a public entity or LTSS insurance provider under subsection(b)(5)(A)(iii);

(II) resulted from shifts in funding identified by a public entity under subsection (b)(10)(B); or

(III) are environmental modifications to achieve the affordable, accessible, integrated housing identified by a public entity under subsection (b)(6)(E); and

(ii) are described by the State in a request to the Secretary of Health and Human Services for the increase.

(C) PERIOD OF INCREASE.—The Secretary of Health and Human Services shall increase the FMAP described in subparagraph (B)—

(i) beginning with the first quarter that begins after the date of the determination; and

(ii) ending with the quarter in which the next annual determination under subparagraph (A) occurs.

(D) DEFINITIONS.—In this paragraph:

(i) FMAP.—The term ''FMAP'' means the Federal medical assistance percentage for a State determined under section 1905(b) of the Social Security Act (42 U.S.C. 1396d(b)) without regard to any increases in that percentage applicable under other subsections of that section or any other provision of law, including this section.

(ii) HOME AND COMMUNITY-BASED SERVICES DEFINED.—The term ''home and community-based services'' means any of the following services provided under a State Medicaid plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) or a waiver of such plan:

(I) Home and community-based services provided under subsection (c), (d), or (i) of section 1915 of the Social Security Act (42 U.S.C. 1396n).

(II) Home health care services.

(III) Personal care services.

(IV) Services described in section 1905(a)(26) of the Social Security Act (42 U.S.C. 1396d(a)(26)) (relating to PACE program services).

(V) Self-directed personal assistance services provided in accordance with section 1915(j) of the Social Security Act (42 U.S.C. 1396n(j)).

(VI) Community-based attendant services and supports provided in accordance with section 1915(k) of the Social Security Act (42 U.S.C. 1396n(k)).

(VII) Rehabilitative services, within the meaning of section 1905(a)(13) of the Social Security Act (42 U.S.C. 1396d(a)(13)).

(d) RULE OF CONSTRUCTION.—Nothing in subsection (b)(10) or (c) or any other provision of this Act shall be construed to modify the requirements of any other Federal law, relating to integration of individuals with disabilities into the community and enabling those individuals to live in the most integrated setting.

SEC. 7. EXEMPTIONS FOR RELIGIOUS ORGANIZATIONS.

This Act shall not prohibit a religious organization, association, or society from giving preference in providing community-based long-term services and supports to individuals of a particular religion connected with the beliefs of such organization, association, or society.

SEC. 8. ENFORCEMENT.

(a) CIVIL ACTION.—

(1) IN GENERAL.—A civil action for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order, may be instituted by an individual described in paragraph (2) in an appropriate Federal district court.

(2) AGGRIEVED INDIVIDUAL.—

(A) IN GENERAL.—The remedies and procedures set forth in this section are the remedies and procedures this Act provides to any individual who is being subjected to a violation of this Act, or who has reasonable grounds for believing that such individual is about to be subjected to such a violation.

(B) STANDING.—An individual with a disability shall have standing to institute a civil action under this subsection if the individual makes a prima facie showing that the individual—

(i) is an individual with an LTSS disability; and

(ii) is being subjected to, or about to be subjected to, such a violation (including a violation of section 4(b)(11)).

(3) APPOINTMENT OF ATTORNEY; NO FEES, COSTS, OR SECURITY.—Upon application by the complainant described in paragraph (2) and in such circumstances as the court may determine to be just, the court may appoint an attorney for the complainant and may authorize the commencement of such civil action without the payment of fees, costs, or security.

(4) FUTILE GESTURE NOT REQUIRED.—Nothing in this section shall require an individual with an LTSS disability to engage in a futile gesture if such person has actual notice that a public entity or LTSS insurance provider does not intend to comply with the provisions of this Act.

(b) DAMAGES AND INJUNCTIVE RELIEF.—If the court finds that a violation of this Act has occurred or is about to occur, the court may award to the complainant—

(1) actual and punitive damages;

(2) immediate injunctive relief to prevent institutionalization;

(3) as the court determines to be appropriate, any permanent or temporary injunction (including an order to immediately provide or maintain community-based long-term services or supports for an individual to prevent institutionalization or further institutionalization), temporary restraining order, or other order (including an order enjoining the defendant from engaging in a practice that violates this Act or ordering such affirmative action as may be appropriate); and

(4) in an appropriate case, injunctive relief to require the modification of a policy, practice, or procedure, or the provision of an alternative method of providing LTSS, to the extent required by this Act.

(c) ATTORNEY'S FEES; LIABILITY OF UNITED STATES FOR COSTS.—In any action commenced pursuant to this Act, the court, in its discretion, may allow the party bringing a claim or counterclaim under this Act, other than the United States, a reasonable attorney's fee as part of the costs, and the United States shall be liable for costs to the same extent as a private person.

(d) ENFORCEMENT BY ATTORNEY GENERAL.—

(1) DENIAL OF RIGHTS.—

(A) DUTY TO INVESTIGATE.—The Attorney General shall investigate alleged violations of this Act, and shall undertake periodic reviews of the compliance of public entities and LTSS insurance providers under this Act.

(B) POTENTIAL VIOLATION.—The Attorney General may commence a civil action in any appropriate Federal district court if the Attorney General has reasonable cause to believe that—

(i) any public entity or LTSS insurance provider, including a group of public entities or LTSS insurance providers, is engaged in a pattern or practice of violations of this Act; or

(ii) any individual, including a group, has been subjected to a violation of this Act and the violation raises an issue of general public importance.

(2) AUTHORITY OF COURT.—In a civil action under paragraph (1)(B), the court—

(A) may grant any equitable relief that such court considers to be appropriate, including, to the extent required by this Act—

(i) granting temporary, preliminary, or permanent relief; and

(ii) requiring the modification of a policy, practice, or procedure, or the provision of an alternative method of providing LTSS;

(B) may award such other relief as the court considers to be appropriate, including damages to individuals described in subsection (a)(2), when requested by the Attorney General; and

(C) may, to vindicate the public interest, assess a civil penalty against the public entity or LTSS insurance provider in an amount—

(i) not exceeding $100,000 for a first violation; and

(ii) not exceeding $200,000 for any subsequent violation.

(3) SINGLE VIOLATION.—For purposes of paragraph (2)(C), in determining whether a first or subsequent violation has occurred, a determination in a single action, by judgment or settlement, that the public entity or LTSS insurance provider has engaged in more than one violation of this Act shall be counted as a single violation.

SEC. 9. CONSTRUCTION.

For purposes of construing this Act—

(1) section 4(b)(11) shall be construed in a manner that takes into account its similarities with section 302(b)(2)(A)(ii) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12182(b)(2)(A)(ii));

(2) the first sentence of section 6(b)(5)(A) shall be construed in a manner that takes into account its similarities with section 35.105(a) of title 28, Code of Federal Regulations (as in effect on the day before the date of enactment of this Act);

(3) section 7 shall be construed in a manner that takes into account its similarities with section 807(a) of the Civil Rights Act of 1968 (42 U.S.C. 3607(a));

(4) section 8(a)(2) shall be construed in a manner that takes into account its similarities with section 308(a)(1) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12188(a)(1)); and

(5) section 8(d)(1)(B) shall be construed in a manner that takes into account its similarities with section 308(b)(1)(B) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12188(b)(1)(B)).

By Mr. DAINES:

S. 894. A bill to amend title 40, United States Code, to provide requirements for the disposal of surplus Federal property relating to review of bidders and post-sale responsibilities; to the Committee on Environment and Public Works.

S. 894

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

SECTION 1. MODIFICATIONS RELATING TO METHOD OF DISPOSITION OF SURPLUS FEDERAL PROPERTY AND SUBSEQUENT RESPONSIBILITIES.

Section 543 of title 40, United States Code, is amended—

(1) in the first sentence, by striking ''An executive'' and inserting the following:

''(a) IN GENERAL.—The Administrator of General Services or an executive'';

(2) in the second sentence—

(A) by striking ''it considers''; and

(B) by striking ''The agency'' and inserting the following:

''(b) DISPOSAL ACTIONS.—

''(1) DOCUMENTATION.—The Administrator of General Services or an executive agency''; and

(3) in subsection (b) (as designated by paragraph (2)(B)), by adding at the end the following:

''(2) OBSERVATIONS OF BIDDER.—For purposes of ensuring settlement of a loan used for the purchase by a member of the public of any Federal real property with a significant health or safety concern sold by the General Services Administration under this chapter, the Administrator of General Services shall—

''(A) during the course of the ordinary bidding process, identify, to the best of the ability of the Administrator of General Services, whether any obvious and significant indication is present that the purchaser is not capable of—

''(i) settling the loan obligation; or

''(ii) removing any health or safety conditions; and

''(B) if such an obvious and significant indication is identified—

''(i) document the indication; and

''(ii) disallow sale of the Federal property to the prospective purchaser.

''(3) ASBESTOS.—

''(A) DEFINITION OF ASBESTOS-AFFECTED PROPERTY.—In this paragraph, the term 'asbestos-affected property' means any Federal property that—

''(i) is sold by the General Services Administration under this chapter after April 30, 2013; and

''(ii) contains—

''(I) friable asbestos; and

''(II) a significant overall quantity of asbestos, such that damage inflicted on the Federal property by a natural disaster would cause significant damage to the public due to the quantity of asbestos.

''(B) RESPONSIBILITY.—In the event that an immediate or subsequent purchaser of an asbestos-affected property is a debtor (as defined in section 101 of title 11, United States Code), and transfers any portion of the asbestos-affected property with significant quantities of unabated asbestos to a unit of State or local government, on request by that unit of government, the Administrator of General Services shall coordinate with other Federal agencies to identify funding resources for the purpose of asbestos abatement if that unit of government submits the request to the Administrator of General Services not later than 20 years after the date of the initial sale of the real property by the General Services Administration.''.

By Mrs. FEINSTEIN (for herself, Mr. LEAHY, Mr. BROWN, Mr. CARDIN, Mr. DURBIN, Mr. FRANKEN, Ms. KLOBUCHAR, Mr. MURPHY, Mrs. MURRAY, Mr. SANDERS, Mr. UDALL, Mr. WHITEHOUSE, Mr. MARKEY, and Mr. MERKLEY):

S. 897. A bill to protect civilians from cluster munitions, and for other purposes; to the Committee on Foreign Relations.

Mrs. FEINSTEIN. Mr. President, I rise today with my colleagues Senators LEAHY, BROWN, CARDIN, DURBIN, FRANKEN, KLOBUCHAR, MURPHY, MURRAY, MARKEY, MERKLEY, SANDERS, UDALL, and WHITEHOUSE to introduce the Cluster Munitions Civilian Protection Act of 2017.

First and foremost, the legislation would limit the use of cluster munitions by the U.S. Armed Forces. In June 2008, then-Secretary of Defense Robert Gates signed a memo stating that after 2018 the United States will not use cluster munitions with a greater than 1 percent unexploded ordnance rate. The Cluster Munitions Civilian Protection Act would codify the Gates policy by immediately prohibiting the use of cluster munitions with a greater than 1 percent failure rate.

Second, this bill would make it clear that the export of U.S.-made cluster munitions must be contingent upon the receiving country not using these weapons inappropriately. Since 2008, the Congress has required that U.S.-made cluster munitions can only be used by the recipient country against clearly defined military targets and will not be used where civilians are known to be present or in areas normally inhabited by civilians.

During the 114th Congress, the Defense Department discovered that several export agreements for U.S. cluster munitions—known as letters of offer and acceptance—failed to mirror congressional restrictions on their use. Specifically, the Pentagon found that letters of offer and acceptance with South Korea and Saudi Arabia were either incomplete or missing. While the Pentagon is attempting to amend the mistake, it is imperative that the Congress make clear that U.S.-made cluster munitions must not be used where civilians are known to be present or in areas normally inhabited by civilians. As a result, the legislation requires export policies and licenses to restrict cluster munition use against clearly defined military targets and not in civilian areas.

Today 119 countries have signed or acceded to the Convention on Cluster Munitions. In fact, four of our closest allies—Canada, Great Britain, Germany, and France—are states parties, legally bound by all of the convention's provisions.

The convention prohibits the use, production, transfer, and stockpiling of cluster munitions. The convention also requires the destruction of stockpiled cluster munitions within eight years, clearance of cluster munition remnants within 10 years, and assistance to victims, including those injured by submunitions.

I am disappointed that the United States has not signed the convention but believe we can move toward doing so. This legislation states that it is the sense of Congress that No. 1, the U.S. Government should phase out the use of all cluster munitions as soon as possible; No. 2, any alternatives that the United States develops to replace cluster munitions should be compliant with the Convention on Cluster Munitions; and No. 3, the United States should accede to the convention as soon as possible.

The United States has not widely used cluster munitions since the first weeks of the 2003 Iraq war. Unfortunately, cluster munitions have been used by others around the world with devastating effect on civilians in the past year.

According to the Cluster Munition Monitor, since 2012, Syrian government forces have used at least 13 different types of cluster munitions in 360 recorded attacks. Additionally, the United States and the United Kingdom have publicly accused Russia of using these weapons in Syria, including against the moderate opposition.

In Yemen, the Saudi-backed coalition has employed cluster munitions against the Houthis. Human Rights Watch and Amnesty International have documented at least 19 instances of cluster munitions use in Yemen, including with U.S.-made weapons. The U.S. Defense Department has acknowledged that U.S.-made weapons were employed in Yemen, though the Pentagon has said their use didn't violate export restrictions.

Finally, there is evidence that cluster munitions were also used in the Nagorno-Karabakh region and by Kenya in Somalia.

According to the Cluster Munitions Monitor, over the past 50 years, there have been 20,300 documented cluster munitions deaths in 33 nations. The estimated number of total cluster munitions casualties, however, is an astonishing 55,000 people.

While cluster munitions are intended for military targets, in actuality civilians accounted for 97 percent of cluster munition casualties in 2015.

Worldwide casualties caused by cluster munitions demonstrate that they are indiscriminate weapons. While U.S.-made cluster munitions reduce the likelihood of civilian casualties when they are used correctly, U.S. ratification of the Convention on Cluster Munitions would help move the world toward a global ban.

This legislation moves the United States toward accession by codifying the Gates policy and encouraging the Pentagon to develop alternatives to cluster munitions that are compliant with the convention.

Mr. President, the Congress cannot compel the administration to sign the Convention on Cluster Munitions. But, we can surely take steps to abide by its spirit. Passing the ''Cluster Munitions Civilian Protection Act'' would do exactly that.

I urge my colleagues to support this bill.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 122—DESIGNATING APRIL 2017 AS ''NATIONAL 9-1-1 EDUCATION MONTH''

Ms. KLOBUCHAR (for herself and Mr. BURR) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 122

Whereas 9-1-1 is recognized throughout the United States as the number to call in an emergency to receive immediate help from police, fire, emergency medical services, or other appropriate emergency response entities;

Whereas, in 1967, the President's Commission on Law Enforcement and Administration of Justice recommended that a ''single number should be established'' nationwide for reporting emergency situations, and various Federal Government agencies and governmental officials supported and encouraged the recommendation;

Whereas, in 1968, the American Telephone and Telegraph Company (commonly known as ''AT&T'') announced that it would establish the digits 9-1-1 as the emergency code throughout the United States;

Whereas Congress designated 9-1-1 as the national emergency call number in the Wireless Communications and Public Safety Act of 1999 (Public Law 106–81; 113 Stat. 1286);

Whereas section 102 of the ENHANCE 911 Act of 2004 (47 U.S.C. 942 note) declared an enhanced 9-1-1 system to be ''a high national priority'' and part of ''our Nation's homeland security and public safety'';

Whereas it is important that policy makers at all levels of government understand the importance of 9-1-1, how the 9-1-1 system works, and the steps that are needed to modernize the 9-1-1 system;

Whereas the 9-1-1 system is the connection between the eyes and ears of the public and the emergency response system in the United States and is often the first place emergencies of all magnitudes are reported, making 9-1-1 a significant homeland security asset;

Whereas more than 6,000 9-1-1 public safety answering points serve more than 3,000 counties and parishes throughout the United States;

Whereas telecommunicators at public safety answering points answer more than 200,000,000 9-1-1 calls each year in the United States;

Whereas a growing number of 9-1-1 calls are made using wireless and Internet Protocol-based communications services;

Whereas a growing segment of the population of the United States, including individuals who are deaf, hard of hearing, or deaf-blind, or who have speech disabilities, is increasingly communicating with nontraditional text, video, and instant messaging communications services and expects those services to be able to connect directly to 9-1-1;

Whereas the growth and variety of means of communication, including mobile and Internet Protocol-based systems, impose challenges for accessing 9-1-1 and implementing an enhanced 9-1-1 system and require increased education and awareness about the capabilities of different means of communication;

Whereas numerous other ''N-1-1'' and 800 number services exist for nonemergency situations, including 2-1-1, 3-1-1, 5-1-1, 7-1-1, 8-1-1, poison control centers, and mental health hotlines, and the public needs to be educated on when to use those services in addition to or instead of 9-1-1;

Whereas international visitors and immigrants make up an increasing percentage of the population of the United States each year, and visitors and immigrants may have limited knowledge of the emergency calling system in the United States;

Whereas people of all ages use 9-1-1 and it is critical to educate people on the proper use of 9-1-1;

Whereas senior citizens are highly likely to need to access 9-1-1 and many senior citizens are learning to use new technology;

Whereas thousands of 9-1-1 calls are made every year by children properly trained in the use of 9-1-1, which saves lives and underscores the critical importance of training children early in life about 9-1-1;

Whereas the 9-1-1 system is often misused, including by the placement of prank and nonemergency calls;

Whereas misuse of the 9-1-1 system results in costly and inefficient use of 9-1-1 and emergency response resources and needs to be reduced;

Whereas parents, teachers, and all other caregivers need to play an active role in 9-1-1 education for children, but can do so only after first being educated themselves;

Whereas there are many avenues for 9-1-1 public education, including safety fairs, school presentations, libraries, churches, businesses, public safety answering point tours or open houses, civic organizations, and senior citizen centers;

Whereas children, parents, teachers, and the National Parent Teacher Association make vital contributions to the education of children about the importance of 9-1-1 through targeted outreach efforts to public and private school systems;

Whereas the United States should strive to host at least 1 educational event regarding the proper use of 9-1-1 in every school in the country every year;

Whereas programs to promote proper use of 9-1-1 during National 9-1-1 Education Month could include—

(1) public awareness events, including conferences, media outreach, and training activities for parents, teachers, school administrators, other caregivers, and businesses;

(2) educational events in schools and other appropriate venues; and

(3) production and distribution of information about the 9-1-1 system designed to educate people of all ages on the importance and proper use of 9-1-1; and

Whereas the people of the United States deserve the best education regarding the use of 9-1-1: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 2017 as ''National 9-1-1 Education Month''; and

(2) urges governmental officials, parents, teachers, school administrators, caregivers, businesses, nonprofit organizations, and the people of the United States to observe the month with appropriate ceremonies, training events, and activities.

SENATE RESOLUTION 123—DESIGNATING MAY 20, 2017, AS ''KIDS TO PARKS DAY''

Mr. WYDEN (for himself, Mr. ALEXANDER, Mr. HEINRICH, Mr. PORTMAN, Mr. BOOKER, and Ms. HIRONO) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 123

Whereas the 7th annual Kids to Parks Day will be celebrated on May 20, 2017;

Whereas the goal of Kids to Parks Day is to promote healthy outdoor recreation and environmental stewardship, empower young people, and encourage families to get outdoors and visit the parks and public land of the United States;

Whereas on Kids to Parks Day, individuals from rural and urban areas of the United States can be reintroduced to the splendid national, State, and neighborhood parks located in their communities;

Whereas communities across the United States offer a variety of natural resources and public land, often with free access, to individuals seeking outdoor recreation;

Whereas the people of the United States, young and old, should be encouraged to lead more healthy and active lifestyles;

Whereas Kids to Parks Day is an opportunity for families to take a break from their busy lives and come together for a day of active, wholesome fun; and

Whereas Kids to Parks Day will broaden an appreciation for nature and the outdoors in young people, foster a safe setting for independent play and healthy adventure in neighborhood parks, and facilitate self-reliance while strengthening communities: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 20, 2017, as ''Kids to Parks Day;''

(2) recognizes the importance of outdoor recreation and the preservation of open spaces to the health and education of the young people of the United States; and

(3) encourages the people of the United States to observe the day with appropriate programs, ceremonies, and activities.

SENATE RESOLUTION 124—EXPRESSING THE SENSE OF THE SENATE THAT THE NATIONAL SEA GRANT COLLEGE PROGRAM IS A VALUABLE PROGRAM THAT PROTECTS AND ENHANCES THE COASTAL COMMUNITIES AND ECONOMY OF THE UNITED STATES

Mr. MERKLEY (for himself, Ms. MURKOWSKI, Mr. WHITEHOUSE, Mr. BOOKER, Mr. COONS, Mr. BLUMENTHAL, Ms. STABENOW, Mr. BROWN, Ms. HIRONO, Mr. WYDEN, Ms. KLOBUCHAR, Mr. CASSIDY, Ms. HASSAN, Mr. FRANKEN, Mr. LEAHY, Mrs. SHAHEEN, Mr. PETERS, Mr. SCHATZ, Mr. KAINE, Mr. NELSON, Mr. SANDERS, Mr. MARKEY, Mr. MURPHY, Mr. CARDIN, Ms. CANTWELL, and Mrs. FEINSTEIN) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 124

Whereas the National Sea Grant College Program, established in 1966, serves 31 States and 2 territories to strengthen the health and stewardship of local, State, and national coastal and marine resources;

Whereas 42 percent of the United States population lives or works in a coastal area, and coastal counties contribute over $7,600,000,000,000 annually to the economy;

Whereas the National Sea Grant College Program is critical in improving the health of coastal ecosystems, supporting sustainable fisheries and aquaculture, building resilient communities and economies, improving environmental literacy, and developing the next generation of students in science and technology;

Whereas the National Sea Grant College Program had an economic impact of $575,000,000 in 2015 from a Federal investment of $67,300,000, which is an 854-percent return on investment;

Whereas the National Sea Grant College Program creates or sustains more than 20,000 jobs and 2,900 businesses annually;

Whereas the National Sea Grant College Program has supported 1,175 John A. Knauss Marine Policy Fellows in Congress and throughout Federal agencies since 1979; and

Whereas the National Sea Grant College Program has supported thousands of undergraduate and graduate students at institutions of higher education across the United States: Now, therefore, be it

Resolved, That it is the sense of the Senate that the National Sea Grant College Program is—

(1) of vital importance to improving the economy, health, stewardship, and preparedness of the United States;

(2) an exceptional example of effective partnerships between Federal, State, and local governments; and

(3) a valuable investment for the Federal Government.

SENATE RESOLUTION 125—SUPPORTING THE GOALS AND IDEALS OF NATIONAL PUBLIC HEALTH WEEK

Mr. UDALL (for himself, Mr. WHITEHOUSE, Mr. MARKEY, Ms. HEITKAMP, Ms. WARREN, Mr. CARDIN, Mr. KING, Mrs. SHAHEEN, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Mr. HEINRICH, Mr. FRANKEN, Mrs. MURRAY, Mr. BROWN, and Mr. VAN HOLLEN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 125

Whereas the week of April 3, 2017, through April 9, 2017, is National Public Health Week;

Whereas the theme of National Public Health Week in 2017 is ''Healthiest Nation 2030'', with the goal of making the United States the healthiest country in 1 generation;

Whereas, according to the National Academy of Medicine, despite being one of the wealthiest countries in the world, the United States ranks below many other economically prosperous and developing countries with respect to measures of health, including life expectancy and infant mortality rates;

Whereas the life expectancy for the population of the United States has declined for the first time in more than 2 decades and the leading causes of deaths are among the most common, costly, and preventable of all health problems;

Whereas there is a significant difference in the health status, including with respect to obesity, mental health, and infectious disease, of individuals who live in the healthiest States as compared with individuals who live in the least healthy States;

Whereas, despite having a high infant mortality rate compared to other economically prosperous and developing countries, and a death rate that varies greatly among States, the United States, until recently, was making steady progress with respect to overall measures of public health, with the infant mortality rate in 2014 reaching a historic low of 5.8 infant deaths per 1,000 live births;

Whereas, since 1999, opioid-involved deaths have more than quadrupled, requiring a comprehensive strategy across a range of sectors, including robust efforts to prevent substance misuse disorders;

Whereas the percentage of adults in the United States who smoke cigarettes, an activity that is the leading cause of preventable disease and death in the United States and accounts for more than 480,000 deaths each year, decreased from 20.9 percent in 2005 to 15.1 percent in 2015;

Whereas a strong public health system results in clean and healthy air, water, food, and places in which to live, learn, work, and play;

Whereas public health organizations use National Public Health Week to educate the public, policymakers, and public health professionals on issues that are important to improving the health of the people of the United States;

Whereas studies show that small strategic investments in prevention can result in significant savings in health care costs;

Whereas each 10 percent increase in local public health spending contributes to a 6.9 percent decrease in infant deaths, a 3.2 percent decrease in deaths related to cardiovascular disease, a 1.4 percent decrease in deaths due to diabetes, and a 1.1 percent decrease in cancer-related deaths;

Whereas public health professionals help communities prevent, prepare for, withstand, and recover from the impact of a full range of health threats, including disease outbreaks, such as the Zika virus, natural disasters, and disasters caused by human activity;

Whereas public health professionals collaborate with partners that are not in the health sector, such as city planners, transportation officials, education officials, and private sector businesses, recognizing that other sectors have an important influence on health;

Whereas, in communities across the United States, individuals are changing the way that they care for their health by avoiding tobacco use, eating healthier, becoming more physically active, and preventing unintentional injuries at home and in the workplace; and

Whereas efforts to adequately support public health and prevention can continue the transformation from a health system that is focused on treating illness to a health system that is focused on preventing disease and promoting wellness: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Public Health Week;

(2) recognizes the efforts of public health professionals, the Federal Government, States, tribes, municipalities, local communities, and individuals in preventing disease and injury;

(3) recognizes the role of the public health system in improving the health of individuals in the United States;

(4) encourages increased efforts, and the use of additional resources, to improve the health of people in the United States and make the United States the healthiest country in 1 generation—

(A) through greater opportunities to improve community health and prevent disease and injury; and

(B) by strengthening the public health system in the United States; and

(5) encourages the people of the United States to learn about the role of the public health system in improving health in the United States.

SENATE RESOLUTION 126—EXPRESSING SUPPORT FOR THE DESIGNATION OF THE WEEK OF APRIL 10 THROUGH APRIL 14, 2017 AS ''NATIONAL ASSISTANT PRINCIPALS WEEK''

Mr. CARPER (for himself, Mr. HELLER, Mr. MARKEY, and Mr. ENZI) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 126

Whereas the National Association of Secondary School Principals (NASSP), the National Association of Elementary School Principals (NAESP), and the American Federation of School Administrators (AFSA) have designated the week of April 10 through April 14, 2017, as ''National Assistant Principals Week'';

Whereas an assistant principal, as a member of the school administration, interacts with many sectors of the school community, including support staff, instructional staff, students, and parents;

Whereas assistant principals are responsible for establishing a positive learning environment and building strong relationships between school and community;

Whereas assistant principals play a pivotal role in the instructional leadership of their schools by supervising student instruction, mentoring teachers, recognizing the achievements of staff, encouraging collaboration among staff, ensuring the implementation of best practices, monitoring student achievement and progress, facilitating and modeling data-driven decision-making to inform instruction, and guiding the direction of targeted intervention and school improvement;

Whereas the day-to-day logistical operations of schools require assistant principals to monitor and address facility needs, attendance, transportation issues, and scheduling challenges, as well as supervise extra- and co-curricular events;

Whereas assistant principals are entrusted with maintaining an inviting, safe, and orderly school environment that supports the growth and achievement of each and every student by nurturing positive peer relationships, recognizing student achievement, mediating conflicts, analyzing behavior patterns, providing interventions, and, when necessary, taking disciplinary actions;

Whereas since its establishment in 2004, the NASSP National Assistant Principal of the Year Program recognizes outstanding middle and high school assistant principals who demonstrate success in leadership, curriculum, and personalization; and

Whereas the week of April 10 through April 14, 2017, is an appropriate week to designate as National Assistant Principals Week: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of April 10 through April 14, 2017, as ''National Assistant Principals Week'';

(2) honors the contributions of assistant principals to the success of students in the United States; and

(3) encourages the people of the United States to observe National Assistant Principals Week with appropriate ceremonies and activities that promote awareness of the role played by assistant principals in school leadership and ensuring that every child has access to a high-quality education.

SENATE RESOLUTION 127—SUPPORTING THE GOALS AND IDEALS OF TAKE OUR DAUGHTERS AND SONS TO WORK DAY

Mr. BURR (for himself and Ms. HEITKAMP) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 127

Whereas the Take Our Daughters To Work program was created in New York City as a response to research that showed that, by

the 8th grade, many girls were dropping out of school, had low self-esteem, and lacked confidence;

Whereas, in 2003, the name of the program was changed to ''Take Our Daughters And Sons To Work'' so that boys who face many of the same challenges as girls could also be involved in the program;

Whereas, in 2017, the mission of the program, to develop ''innovative strategies that empower girls and boys to overcome societal barriers to reach their full potential'', fully reflects the addition of boys;

Whereas the Take Our Daughters And Sons To Work Foundation, a nonprofit organization, has grown to be one of the largest public awareness campaigns, with more than 39,000,000 participants annually in more than 3,000,000 organizations and workplaces representing each State;

Whereas, in 2007, the Take Our Daughters To Work program transitioned to Elizabeth City, North Carolina, became known as the Take Our Daughters And Sons To Work Foundation, and received national recognition for its dedication to future generations;

Whereas, every year, mayors, governors, and other private and public officials sign proclamations and lend support to Take Our Daughters And Sons To Work Day;

Whereas the fame of the Take Our Daughters And Sons To Work program has spread overseas, with requests and inquiries being made from around the world on how to operate the program;

Whereas 2017 marks the 24th anniversary of the Take Our Daughters And Sons To Work program;

Whereas Take Our Daughters And Sons to Work Day will be observed on Thursday, April 27, 2017; and

Whereas, by offering opportunities for children to experience activities and events, Take Our Daughters And Sons To Work Day is intended to continue helping millions of girls and boys on an annual basis to examine their opportunities and strive to reach their fullest potential: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the goals of introducing our daughters and sons to the workplace; and

(2) commends all participants of Take Our Daughters And Sons To Work Day for the—

(A) ongoing contributions that the participants make to education; and

(B) vital role that the participants play in promoting and ensuring a brighter, stronger future for the United States.

SENATE RESOLUTION 128—DESIGNATING APRIL 2017 AS ''NATIONAL CONGENITAL DIAPHRAGMATIC HERNIA AWARENESS MONTH''

Mr. CARDIN (for himself and Mr. STRANGE) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 128

Whereas congenital diaphragmatic hernia (referred to in this preamble as ''CDH'') occurs in individuals in which the diaphragm fails to fully form, allowing abdominal organs to migrate into the chest cavity and preventing lung growth;

Whereas the Director of the Centers for Disease Control and Prevention recognizes CDH as a birth defect;

Whereas the majority of CDH patients suffer from underdeveloped lungs or poor pulmonary function;

Whereas babies born with CDH endure extended hospital stays in intensive care with multiple surgeries;

Whereas CDH patients often endure long-term complications, such as pulmonary hypertension, pulmonary hypoplasia, asthma, gastrointestinal reflux, feeding disorders, and developmental delays;

Whereas CDH survivors sometimes endure long-term mechanical ventilation dependency, skeletal malformations, supplemental oxygen dependency, enteral and parenteral nutrition, and hypoxic brain injury;

Whereas CDH is treated through mechanical ventilation, a heart and lung bypass (commonly known as ''extracorporeal membrane oxygenation''), machines, and surgical repair;

Whereas surgical repair is often not a permanent solution for CDH and can lead to reherniation and require additional surgery;

Whereas CDH is diagnosed in utero in less than 50 percent of cases;

Whereas infants born with CDH have a high mortality rate, ranging from 20 to 60 percent, depending on the severity of the defect and interventions available at delivery;

Whereas CDH has a rate of occurrence of 1 in every 2,500 live births worldwide;

Whereas in the United States, CDH affects approximately 1,600 babies each year;

Whereas since 2000, CDH has affected more than 700,000 babies worldwide since 2000;

Whereas CDH does not discriminate based on race, gender, or socioeconomic status;

Whereas the cause of CDH is unknown;

Whereas the average CDH survivor will face postnatal care that totals not less than $100,000; and

Whereas Federal support for CDH research at the National Institutes of Health for 2017 is estimated to be not more than $4,000,000: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 2017 as ''National Congenital Diaphragmatic Hernia Awareness Month'';

(2) encourages that steps should be taken to—

(A) raise awareness of and increase public knowledge about congenital diaphragmatic hernia (referred to in this resolving clause as ''CDH'');

(B) inform all Americans about the dangers of CDH, especially groups of people that may be disproportionately affected by CDH or have lower survival rates;

(C) disseminate information on the importance of quality neonatal care of CDH patients;

(D) promote quality prenatal care and ultrasounds to detect CDH in utero; and

(E) support research funding of CDH to—

(i) improve screening and treatment for CDH;

(ii) discover the causes of CDH; and

(iii) develop a cure for CDH; and

(3) calls on the people of the United States, interest groups, and affected persons to—

(A) promote awareness of CDH;

(B) take an active role in the fight against this devastating birth defect; and

(C) observe National Congenital Diaphragmatic Hernia Awareness Month with appropriate ceremonies and activities.

Mr. CARDIN. Mr. President, I rise today to ask my Senate colleagues to join me in designating April 2017 as National Congenital Diaphragmatic Hernia Awareness Month. Congenital Diaphragmatic Hernia, also known as CDH, is a birth defect that occurs when the fetal diaphragm fails to fully develop, allowing abdominal organs to move into the chest cavity and preventing lung growth. When the lungs do not develop properly during pregnancy, it can be difficult for the baby to breathe after birth or the baby is unable to take in enough oxygen to stay healthy. Congenital diaphragmatic hernia is a birth defect that occurs in 1 out of every 2,500 live births worldwide. Only about 50 percent of CDH cases are diagnosed in utero. The Center for Disease Control & Prevention, CDC, estimates that CDH affects 1,600 babies in the United States each year. Every 10 minutes, a baby is born with CDH, adding up to more than 700,000 babies with CDH since 2000. According to the CDC, babies born with CDH experience a high mortality rate ranging from 20 to 60 percent depending on the severity of the defect and the treatments available at delivery, yet most people have never heard of CDH.

Researchers are making great progress to determine the cause of this birth defect and to identify optimal treatment methods. In fiscal year 2017, the National Institutes of Health funded approximately $4 million in CDH research, an increase of $700,000 from fiscal year 2015. There is still much progress to be made, however. The cause of CDH remains unknown, and there currently is no cure. CDH survivors often endure long-term complications such as congenital heart defects and developmental delays and the average CDH survivor will face postnatal care of more than $100,000.

Last month, members from the Association of Congenital Diaphragmatic Hernia Research, Awareness and Support, also known as CHERUBS, visited my office. Among them were David and Allison Finger and their daughter Vivienne from Hyattsville, MD. Vivienne was born with CDH and had to spend 60 days in the newborn intensive care unit after birth and had to have surgery to repair the hernia when she was only 3 weeks old. On March 18, 2017, Vivienne celebrated her second birthday and is doing very well. Babies like Vivienne, born with CDH, today have a better chance of survival due to early detection and research on treatment options.

For these reasons, I am proud my colleague the junior Senator from Alabama, Senator STRANGE, has joined me in introducing a bill designating April 2017 as National Congenital Diaphragmatic Hernia Awareness Month. In previous years, I was pleased to work with his predecessor; Senator Sessions, on this legislation. Designating this month in this fashion provides an opportunity to raise public awareness about CDH; promote quality prenatal care and ultrasounds to detect CDH in utero; and support funding for the research necessary to improve screening and treatment of CDH, discover the causes of CDH, and develop a cure for CDH.

SENATE RESOLUTION 129—DESIGNATING APRIL 2017 AS ''SECOND CHANCE MONTH''

Mr. PORTMAN (for himself, Ms. KLOBUCHAR, Mr. LANKFORD, and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 129

Resolved, That the Senate—

(1) designates April 2017 as ''Second Chance Month'';

(2) honors the work of communities, governmental entities, nonprofit organizations, congregations, employers, and individuals to remove unnecessary legal and societal barriers that prevent an individual with a criminal record from becoming a productive member of society; and

(3) calls on the people of the United States to observe Second Chance Month through actions and programs that—

(A) promote awareness of collateral consequences; and

(B) provide closure for individuals who have paid their debts.

SENATE RESOLUTION 130—EXPRESSING GRATITUDE AND APPRECIATION FOR THE ENTRY OF THE UNITED STATES INTO WORLD WAR I

Mr. BOOZMAN (for himself, Mr. RISCH, Mr. COONS, Mr. CASSIDY, Ms. BALDWIN, Mr. ROBERTS, Mr. PETERS, and Mr. KAINE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 130

Whereas, on April 2, 1917, President Thomas Woodrow Wilson asked Congress to convene an extraordinary session to officially declare war on the Imperial German Government;

Whereas, on April 4, 1917, the Senate passed a joint resolution that declared a formal state of war between the United States and the Imperial German Government;

Whereas, on April 6, 1917, the House of Representatives adopted the same joint resolution that the Senate had passed, thereby marking the official entry of the United States into World War I;

Whereas, consequently, April 6, 2017, marks the 100th anniversary of the entry of the United States into World War I beside France, Russia, and the United Kingdom, the countries of the Triple Entente;

Whereas, on December 7, 1917, the United States declared war on the Austro-Hungarian Empire;

Whereas, beginning in August 1914—

(1) a portion of France was occupied by German forces; and

(2) France fought—

(A) beside the United Kingdom and all countries of the British Empire (notably, Australia, New Zealand, Canada, and South Africa), Belgium, Russia, Italy, and Portugal;

(B) on land, at sea, and in the air;

(C) along a front line of more than 460 miles; and

(D) to recover full sovereignty;

Whereas, before April 6, 1917, the United States had supported France and the Allies economically, financially, and with human support, including through 3,600 individuals who served as volunteers, ambulance attendants, nurses, philanthropists, and soldiers in the French Foreign Legion;

Whereas the expeditionary force of the United States was created on May 3, 1917, under the command of General John J. Pershing, to provide military support to France and the Allies;

Whereas the United States started huge mobilization efforts after Congress passed the Act entitled ''An Act to authorize the President to increase temporarily the Military Establishment of the United States'', approved May 18, 1917 (Public Law 65–15; 40 Stat. 76), thereby introducing military conscription and enabling 4,800,000 individuals from the United States to serve during World War I;

Whereas the first forces of the expeditionary corps led by General Pershing arrived quickly in France;

Whereas General Pershing landed in Boulogne-sur-Mer on June 13, 1917, 14,750 members of the First Infantry Division landed in Saint-Nazaire on June 26, 1917, and 7,500 soldiers landed in Brest on November 12, 1917;

Whereas members of the Armed Forces were involved in a considerable logistics effort in France, building many transportation infrastructure projects, including roads, harbors, and railways, communications networks, and accommodation buildings, which were crucial for the war effort and the transformation of the French landscape;

Whereas a debt of gratitude is owed to the 3 members of the Armed Forces who fell in France during the first combat of the Armed Forces in Bathelémont-lès-Bauzemont on November 3, 1917;

Whereas individuals from many different sectors of the population of the United States, including African Americans, Hispanics, and Native Americans, were involved in logistics, support, or combat operations in France between 1917 and 1918;

Whereas President Thomas Woodrow Wilson was deeply involved in the peace process in Europe, notably through his speech to Congress on January 8, 1918, the 14 points of which were proposed as a basis for negotiation at the Versailles Peace Conference, which began on January 18, 1919;

Whereas approximately 2,000,000 members of the Armed Forces fought in France and 126,000 died during the war, including 53,402 individuals who were killed in action in French territory during battles in 1918, such as the Battle of Belleau Wood, the Battle of Saint-Mihiel, and the Meuse-Argonne Offensive;

Whereas numerous reminders of the actions of the Armed Forces during World War I remain in France, notably in buildings and memorials; and

Whereas the people of France will always be grateful when remembering the sacrifices of members of the Armed Forces during World War I: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 100th anniversary of the official entry of the United States into World War I on April 6, 1917;

(2) expresses gratitude and appreciation to—

(A) the members of the Armed Forces who participated in World War I operations alongside the countries of the Triple Entente; and

(B) the members of the Allied Forces who participated in World War I operations alongside France from 1914 until the end of the war;

(3) commends centenary commemorations to honor people from France, the United States, and all countries involved in World War I that aim to make future generations aware of the acts of heroism and sacrifice performed by the Armed Forces and the Allies;

(4) recognizes efforts undertaken by France, especially by port cities on the Atlantic coast and by the regions of Hauts-de-France, Bretagne, Loire-Atlantique, Aquitaine, Centre, and Grand-Est, to preserve the memory and celebrate the legacy of the involvement of the United States during World War I;

(5) recognizes that the people of France plan to—

(A) celebrate this anniversary with commemorations and relevant programs to express gratitude to those individuals who helped restore hope among the Allies; and

(B) during the celebration of the 100th anniversary of the Armistice of November 11, 1918, express gratitude and appreciation to every—

(i) military force that fought alongside France, inside or outside its territory, during World War I; and

(ii) individual who died fighting or was injured during the hostilities, whether physically or psychologically; and

(6) encourages all countries involved in World War I to participate in the centennial of the Armistice, which will be celebrated in 2018, to the fullest extent possible.

SENATE RESOLUTION 131—SUPPORTING THE MISSION AND GOALS OF NATIONAL CRIME VICTIMS' RIGHTS WEEK IN 2017, WHICH INCLUDE INCREASING PUBLIC AWARENESS OF THE RIGHTS, NEEDS, AND CONCERNS OF, AND SERVICES AVAILABLE TO ASSIST, VICTIMS AND SURVIVORS OF CRIME IN THE UNITED STATES

Mr. GRASSLEY (for himself, Mr. LEAHY, Mr. CRAPO, and Mrs. FEINSTEIN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 131

Whereas, in 2015, according to a survey by the Bureau of Justice Statistics—

(1) an estimated 5,000,000 residents of the United States who were not younger than 12 years of age were the victims of violent crime; and

(2) households in the United States experienced an estimated 14,600,000 property victimizations;

Whereas, in 2015, only 47 percent of violent crime and 38 percent of property victimizations were reported to police;

Whereas, as of 2008, the most conservative estimate for the economic losses sustained by victims of property crimes and victims of violent crime was approximately $17,000,000,000 per year;

Whereas the economic cost alone does not fully describe the emotional, physical, and psychological impact endured by a victim of crime;

Whereas crime can touch the life of any individual, regardless of the age, race, national origin, religion, or gender of the individual;

Whereas a just society acknowledges the impact of crime on individuals, families, schools, and communities by—

(1) protecting the rights of crime victims and survivors; and

(2) ensuring that resources and services are available to help rebuild the lives of the victims and survivors;

Whereas, despite impressive accomplishments between 1974 and 2017 in increasing the rights of, and services available to, crime victims and survivors and the families of the victims and survivors, many challenges remain to ensure that all crime victims and survivors and the families of the victims and survivors are—

(1) treated with dignity, fairness, and respect;

(2) offered support and services, regardless of whether the victims and survivors report crimes committed against them; and

(3) recognized as key participants within the criminal, juvenile, Federal, and tribal justice systems in the United States when the victims and survivors report crimes;

Whereas crime victims and survivors in the United States and the families of the victims and survivors need and deserve support and assistance to help cope with the often devastating consequences of crime;

Whereas, each year from 1984 through 2016, communities across the United States joined Congress and the Department of Justice in commemorating National Crime Victims' Rights Week to celebrate a shared vision of a comprehensive and collaborative response that identifies and addresses the many needs of crime victims and survivors and the families of the victims and survivors;

Whereas Congress and the President agree on the need for a renewed commitment to serve all victims and survivors of crime in the 21st century;

Whereas, in 2017, National Crime Victims' Rights Week will be celebrated from April 2 through April 8 and the theme, ''Strength. Resilience. Justice.'', will reflect the empowerment and strength of individual victims, the ability of victim assistance organizations to achieve solutions for providing effective services, and a community-based effort to deliver justice and healing to all victims;

Whereas engaging communities in victim assistance is essential in promoting public safety;

Whereas the United States must empower crime victims and survivors by—

(1) protecting the legal rights of the victims and survivors; and

(2) providing the victims and survivors with services to help them in the aftermath of crime; and

Whereas the people of the United States recognize and appreciate the continued importance of—

(1) promoting the rights of, and services for, crime victims and survivors; and

(2) honoring crime victims and survivors and individuals who provide services for the victims and survivors: Now, therefore, be it

Resolved, That the Senate—

(1) supports the mission and goals of National Crime Victims' Rights Week, which include increasing individual and public awareness of—

(A) the impact of crime on victims and survivors and the families of the victims and survivors; and

(B) the challenges to achieving justice for victims and survivors of crime and the families of the victims and survivors and the many solutions available to meet those challenges; and

(2) recognizes that crime victims and survivors and the families of the victims and survivors should be treated with dignity, fairness, and respect.

SENATE RESOLUTION 132—CONGRATULATING THE ASHLAND UNIVERSITY WOMEN'S BASKETBALL TEAM FOR WINNING THE 2017 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION II CHAMPIONSHIP

Mr. PORTMAN (for himself and Mr. BROWN) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 132

Whereas the Ashland University Eagles won the 2017 National Collegiate Athletic Association (referred to in this preamble as the ''NCAA'') division II women's basketball championship game against the Virginia Union University Panthers at Alumni Hall on the campus of Ohio Dominican University by a score of 93 to 77;

Whereas, with a record of 37-0, the Ashland University Eagles achieved the best record ever by a NCAA division II women's team;

Whereas the 2017 NCAA championship was the second division II national championship for Ashland University during the last 5 years;

Whereas head coach Robyn Fralick was named the 2017 United States Marine Corps Women's Basketball Coaches Association NCAA Division II Coach of the Year;

Whereas assistant coach Kari Pickens was named the 2017 Women's Basketball Coaches Association NCAA Division II Assistant Coach of the Year;

Whereas junior forwards Laina Snyder and Andi Daugherty were named Division II Conference Commissioner's Association All-Americans; and

Whereas Laina Snyder was named the Most Outstanding Player of the NCAA division II women's basketball tournament: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Ashland University women's basketball team on winning the 2017 National Collegiate Athletic Association division II championship; and

(2) recognizes the contributions and achievements of each player, coach, and staff member of the Ashland University women's basketball team who contributed to the 2016–2017 undefeated season.

SENATE RESOLUTION 133—CONGRATULATING THE UNIVERSITY OF NORTH CAROLINA TAR HEELS BASKETBALL TEAM FOR WINNING THE 2016–2017 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION MEN'S BASKETBALL NATIONAL CHAMPIONSHIP

Mr. BURR (for himself and Mr. TILLIS) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 133

Whereas, on April 3, 2017, the University of North Carolina defeated Gonzaga University by a score of 71 to 65 to win the 2016–2017 National Collegiate Athletic Association (referred to in this preamble as the ''NCAA'') men's basketball national championship;

Whereas the University of North Carolina Tar Heels returned to the NCAA national championship just 1 year after a heartbreaking, last-second loss to Villanova University;

Whereas the University of North Carolina Tar Heels were ranked sixth in the 2016–2017 preseason Associated Press and USA Today Coaches polls;

Whereas the University of North Carolina Tar Heels finished the 2016–2017 season with—

(1) a record of 33 wins and 7 losses; and

(2) an Atlantic Coast Conference (referred to in this preamble as the ''ACC'') record of 14 wins and 4 losses;

Whereas, for the 2016–2017 regular season, the University of North Carolina Tar Heels were the ACC champions for the 31st time, an ACC record;

Whereas Justin Jackson was—

(1) named 2016–2017 ACC Player of the Year; and

(2) selected to the 2016–2017 ACC, Associated Press, National Association of Basketball Coaches, and the Sporting News All-America First Team;

Whereas Joel Berry II was selected to the 2016–2017 ACC second team;

Whereas Kennedy Meeks was selected to the 2016–2017 All-ACC honorable mention team;

Whereas the University of North Carolina Tar Heels were ranked third in the final NCAA rankings;

Whereas the University of North Carolina Tar Heels—

(1) beat Texas Southern University, the University of Arkansas, Butler University, and the University of Kentucky to win the South Region of the 2016–2017 NCAA men's basketball national championship; and

(2) reached the Final Four for the 20th time, an NCAA record;

Whereas Luke Maye, a former walk-on player, was named the South Regional Most Outstanding Player;

Whereas the University of North Carolina defeated the University of Oregon to return to back-to-back national championships for the second time in the history of the University of North Carolina;

Whereas seniors Nate Britt and Isaiah Hicks played in their 151st game for the University of North Carolina;

Whereas 76,168 fans attended the national championship game at the University of Phoenix Stadium in Glendale, Arizona;

Whereas there were 11 ties and 12 lead changes throughout the national championship game;

Whereas the University of North Carolina trailed Gonzaga University by 3 points at halftime;

Whereas the University of North Carolina trailed Gonzaga University by 2 points with 1 minute and 53 seconds left to play in the game;

Whereas the University of North Carolina held Gonzaga University scoreless over the final 1 minute and 53 seconds of the game, finishing on an 8 to 0 run;

Whereas Joel Berry II—

(1) fighting through dual ankle injuries—

(A) scored 22 points;

(B) gathered 3 rebounds; and

(C) tallied 6 assists; and

(2) was named the 2016–2017 NCAA men's basketball championship Most Outstanding Player;

Whereas Roy Williams—

(1) coached in his 100th NCAA tournament game;

(2) became the sixth coach in NCAA history to win 3 national championships, surpassing Hall of Fame former University of North Carolina head coach Dean Smith; and

(3) tied for fourth for the most national championship wins in NCAA history; and

Whereas the 2016–2017 national championship was the sixth NCAA national championship in the history of the University of North Carolina, moving the University of North Carolina out of a tie with Duke University for sole possession of third most national championships in NCAA history: Now therefore be it

Resolved, That the Senate—

(1) congratulates the University of North Carolina for winning the 2016–2017 National Collegiate Athletic Association men's basketball national championship;

(2) recognizes the achievement of the players, coaches, students, and staff of the University of North Carolina whose perseverance and dedication to excellence helped propel the men's basketball team to win the championship; and

(3) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) the chancellor of the University of North Carolina, Carol L. Folt;

(B) the athletic director of the University of North Carolina, Lawrence R. ''Bubba'' Cunningham; and

(C) the head coach of the University of North Carolina men's basketball team, Roy Williams.

SENATE RESOLUTION 134—CONGRATULATING THE UNIVERSITY OF SOUTH CAROLINA WOMEN'S BASKETBALL TEAM FOR WINNING THE 2017 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I WOMEN'S BASKETBALL TOURNAMENT CHAMPIONSHIP

Mr. SCOTT (for himself and Mr. GRAHAM) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 134

Whereas, on April 2, 2017, at American Airlines Center in Dallas, Texas, the University of South Carolina Gamecocks won the national title game for the National Collegiate Athletic Association Division I Women's Basketball Tournament over the Mississippi State Bulldogs by a score of 67 to 55;

Whereas the University of South Carolina Gamecocks women's basketball team won the 2017 Southeastern Conference championship;

Whereas the University of South Carolina Gamecocks women's basketball team head coach Dawn Staley, a 3-time Olympian who was elected to carry the United States flag at the opening ceremony of the 2004 Summer Olympics, was elected to the Naismith Memorial Basketball Hall of Fame in 2013, and is the new head coach of the United States women's national basketball team, joins Carolyn Peck as the only 2 African-American female head coaches to lead a National Collegiate Athletic Association Division I basketball team to a national title;

Whereas this is the first National Collegiate Athletic Association Division I Women's Basketball Tournament Championship for the University of South Carolina Gamecocks women's basketball team, who finished the season with 34 wins and 4 losses;

Whereas A'ja Wilson, who is from Columbia, South Carolina, and an alumnae of Heathwood Hall Episcopal School, was named Southeastern Conference player of the year and the National Collegiate Athletic Association Division I Women's Basketball Tournament Championship most valuable player;

Whereas the University of South Carolina has been a leader on the Southeastern Conference Academic Honor Roll for last 10 years;

Whereas, each year, University of South Carolina student-athletes support approximately 100 events and organizations for a total of more than 5,000 hours of service;

Whereas A'ja Wilson received First Team All-America recognition from the Women's Basketball Coaches Association, and senior center Alaina Coates earned an All-America honorable mention;

Whereas junior Kaela Davis was a College Sports Information Directors of America Academic All-District selection;

Whereas University of South Carolina student-athletes earned a departmental grade point average of 3.245 for the Fall 2016 semester, the 20th-consecutive semester in which Gamecock student-athletes have combined for a grade point average above 3.0; and

Whereas the University of South Carolina is ranked number 1 in the United States for attendance at women's basketball games: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the University of South Carolina women's basketball team for winning the 2017 National Collegiate Athletic Association Division I Women's Basketball Tournament Championship; and

(2) recognizes the achievements of—

(A) the team's players, coaches, and staff, whose hard work and dedication helped the University of South Carolina women's basketball team win that Championship; and

(B) the dedicated faculty and staff of the University of South Carolina for building an educational environment that has helped University of South Carolina student-athletes to thrive.

AMENDMENTS SUBMITTED AND PROPOSED

SA 206. Mr. PAUL (for himself, Mr. UDALL, and Mr. BOOKER) submitted an amendment intended to be proposed by him to the resolution S. Res. 116, condemning the Assad regime for its continued use of chemical weapons against the Syrian people; which was ordered to lie on the table.

SA 207. Mr. PAUL (for himself, Mr. UDALL, and Mr. BOOKER) submitted an amendment intended to be proposed by him to the resolution S. Res. 116, supra; which was ordered to lie on the table.

SA 208. Mr. PAUL (for himself, Mr. UDALL, and Mr. BOOKER) submitted an amendment intended to be proposed by him to the resolution S. Res. 116, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 206. Mr. PAUL (for himself, Mr. UDALL, and Mr. BOOKER) submitted an amendment intended to be proposed by him to the resolution S. Res. 116, condemning the Assad regime for its continued use of chemical weapons against the Syrian people; which was ordered to lie on the table; as follows:

On page 4, line 1, strike ''That the Senate—'' and insert the following:

SECTION 1. SENSE OF THE SENATE.

The Senate—

At the end of the Resolution, add the following:

SEC. 2. RULE OF CONSTRUCTION.

Nothing in this Resolution shall be construed as an authorization for the use of force or a declaration of war.

SA 207. Mr. PAUL (for himself, Mr. UDALL, and Mr. BOOKER) submitted an amendment intended to be proposed by him to the resolution S. Res. 116, condemning the Assad regime for its continued use of chemical weapons against the Syrian people; which was ordered to lie on the table; as follows:

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On page 4, line 1, strike ''That the Senate—'' and insert the following:

SECTION 1. SENSE OF THE SENATE.

The Senate—

At the end of the Resolution, add the following:

SEC. 2. RULE OF CONSTRUCTION.

Nothing in this Resolution shall be construed as an authorization for the use of force or a declaration of war.

MEASURES PLACED ON THE CALENDAR—S. 861 AND H.R. 1301

Mr. BARRASSO. Mr. President, I understand that there are two bills at the desk due for a second reading en bloc.

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

The senior assistant legislative clerk read as follows:

A bill (S. 861) to provide for the compensation of Federal employees affected by lapses in appropriations.

A bill (H.R. 1301) making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes.

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

The PRESIDING OFFICER. Objection having been heard, the bills will be placed on the calendar.

APPOINTMENTS AUTHORITY

Mr. BARRASSO. Mr. President, I ask unanimous consent that notwithstanding the upcoming adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate, and that they be printed in the RECORD.

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

ORDERS FOR MONDAY, APRIL 10, 2017, THROUGH MONDAY, APRIL 24, 2017

Mr. BARRASSO. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn to then convene for pro forma sessions only, with no business being conducted, on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Monday, April 10, at 1:30 p.m.; Thursday, April 13, at 8:30 a.m.; Monday, April 17, at 4:30 p.m.; and Thursday, April 20, at 7:20 p.m. I further ask that when the

Senate adjourns on Thursday, April 20, it next convene at 3 p.m., Monday, April 24; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; finally, that following leader remarks, the Senate resume executive session as under the previous order.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY, APRIL 10, 2017, AT 1:30 P.M.

Mr. BARRASSO. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 12:41 p.m., adjourned until Monday, April 10, 2017, at 1:30 p.m.

CONFIRMATION

Executive nomination confirmed by the Senate April 7, 2017:

SUPREME COURT OF THE UNITED STATES

NEIL M. GORSUCH, OF COLORADO, TO BE AN ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES.