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Senate

The Senate met at 10 a.m. and was called to order by the Honorable JAMES LANKFORD, a Senator from the State of Oklahoma.

PRAYER

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

Let us pray.

Savior, lead us as a shepherd guides the sheep. We find consolation in the knowledge that You have gone before us to bring us to Your desired destination.

Lord, direct the steps of our law-makers so that even when they fail to fulfill Your purposes, You will continue to uphold them with the right hand of Your righteousness. May they remember that nothing can separate them from Your love. As they face the heat of tough decisions, provide them with the watered gardens and living springs of Your presence. Lord, You have begun a good work in them; carry it on to completion.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The assistant bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 16, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable JAMES LANKFORD, a Senator from the State of Oklahoma, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

HEALTHCARE LEGISLATION

Mr. MCCONNELL. Mr. President, as ObamaCare continues to collapse, a new Gallup poll out last week showed "Healthcare Surges as Top Problem in US."

It is not hard to see why so many Americans feel this way. They turn on the TV and hear there will be even fewer options on the ObamaCare marketplaces in State after State. They pick up the newspaper and see that even more double-digit premium increases are being proposed for too many of the ObamaCare plan options that still remain. They know what these stories mean for their families: They will be left to pick up the pieces as ObamaCare continues to crumble all across the country. Unless we act, ObamaCare premiums will keep skyrocketing across the Nation, pushing the financial burden of this broken law onto the backs of more hard-working Americans.

We have seen the result of this already with last year's rate filings, which left many States with double-digit premium increases as even more insurance options left the market. Premium price hikes for some ObamaCare plans reached startling levels, averaging 53 percent in Pennsylvania, 63 percent in Tennessee, and a shocking 116 percent in Arizona, just to name a few.

Families are again awaiting projections for this year's filings and once again bracing for the very worst. In the coming weeks and months, proposed rate increases under ObamaCare will roll in across the Nation, and already ObamaCare customers in a handful of States have learned just how high their premiums could rise in 2018.

For example, consumers in Vermont just learned that premiums on the exchanges could increase by double digits next year. In Connecticut, requested premium rate increases are as high as 52 percent on the exchanges. In Maryland, one major insurer is asking for an average rate increase of nearly 60 percent. ObamaCare's marketplaces, that insurer warned, are in the "early stages of a death spiral."

Are our Democratic friends who promised to lower costs under ObamaCare OK with what looks to be yet another year of massive ObamaCare premium increases? This news is alarming not only for the families on the exchanges in the States I just named but for the thousands more across the Nation who may be hit with similar reports in coming weeks.

As one recent AP story, titled "More price hikes likely for government insurance markets," observed: "Early moves by insurers suggest that another round of price hikes and limited choices will greet insurance shoppers around the country when they start searching for next year's coverage on the public markets established by the Affordable Care Act."

Moreover, as the story went on to say, over 40 percent of counties could have just a single insurer to choose from on the exchanges next year. It is troubling news, especially given that so many States, like mine, have already experienced insurers fleeing the ObamaCare marketplace leaving families with limited options.

Let's just look at the chart behind me. In Kentucky, under ObamaCare, 49

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



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percent of counties have only one insurer this year in 2017. Forty-nine percent of our counties, nearly half the counties in Kentucky, have only one insurer to choose from, and of course having one option is really no choice at all. It is a harsh reality facing more and more Americans, and these ObamaCare failures have real consequences for the men and women whom we all represent.

As one of our Democratic friends commented just last week on news that his State will be left with only a single insurer next year under ObamaCare, "This will mean that more than 12,000 Delawareans will have to find a new insurance plan and [that] our hard-working families will have fewer options and harder choices to make about their health insurance coverage."

Can our Democratic colleagues who promised more choice under ObamaCare really be OK with the continuing failures of ObamaCare?

The status quo under ObamaCare is simply unsustainable and unacceptable. That is why the entire Senate Republican conference is working together on the best way forward to bring much needed relief to the families who have been left behind by ObamaCare's continuing failures.

I hope our Democratic colleagues will join us in working on this. They just sent me a letter last week where they acknowledged that ObamaCare hasn't lived up to its promises and where they effectively conceded that the status quo is unsustainable. I hope it means they are finally ready to join us in moving away from ObamaCare and supporting smarter healthcare policies. After years of defending a system that isn't working for far too many Americans, it is time that Senate Democrats finally face the reality of this flawed ObamaCare law.

The failures of ObamaCare aren't just isolated to one region of the country either. They are affecting people from the east coast to the west coast, from the North to the South, and things are likely to get even worse, unless we work to finally move beyond the failures of this law.

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive ses-

sion to resume consideration of the Rosen nomination, which the clerk will report.

The assistant bill clerk read the nomination of Jeffrey A. Rosen, of Virginia, to be Deputy Secretary of Transportation.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 12:30 p.m. will be equally divided in the usual form.

The assistant Democratic leader.

HEALTHCARE LEGISLATION

Mr. DURBIN. Mr. President, I had a meeting last week in Illinois, and I asked hospital administrators, doctors, nurses, pediatricians, those who are in the substance abuse treatment area, what they thought of the Republican bill. It was all Republicans who passed the healthcare finance act, whatever the name of it is—their version of the healthcare system that they are calling for reform in the House of Representatives. It was interesting. They were unanimously opposed to it, all of them—hospital administrators, doctors, nurses, pediatricians, across the board.

Why would all the medical providers in my State be opposed to the Republican plan that just passed the House of Representatives? Well, because they have read it. Here is what they found. It threatens the survival of downstate and inner city hospitals. The Illinois Hospital Association came out against the Republican plan and said we could lose 60,000 jobs in Illinois, and we could see cutbacks in services in our hospitals.

I know the Acting President pro tempore from the State of Oklahoma knows what rural hospitals mean to these small towns. It is not only life and death to have access to quality healthcare, they are some of the best paying jobs in town. The thought that those hospitals are going to see services cut back, people laid off is worth sitting up and taking notice.

They also are worried because the Congressional Budget Office never gave an analysis of the Republican plan that passed the House of Representatives. That is unheard of. When we passed the Affordable Care Act in the U.S. Senate, we waited week after weary week for the Congressional Budget Office to analyze each of the major changes. We didn't want to make a mistake, and we felt obligated to tell the American people what we were doing to the healthcare system, which is one-sixth of the national economy.

Somehow the Republican leaders in the House of Representatives paid no attention to that and passed a bill without a Congressional Budget Office analysis. Possibly it is because the first version of that bill, which was analyzed by the CBO, found that it was devastating. Twenty-four million Americans would lose their health insurance under the Republican plan in its first phase. Twenty-four million Americans lose their health insurance.

In Illinois, 1 million people—in a State of 12½ million people, 1 million

people living in my State would have lost their health insurance coverage by the plan proposed initially by the Republicans in the House, and we also know it would shorten the lifespan of Medicare, for one thing. We know it allowed for waivers by Governors to eliminate what they call nonessential services in health insurance.

One of them hits close to home. I can remember as a new Senator coming to the floor and watching Paul Wellstone, who used to be at that desk, and Pete Domenici, who used to be at that desk, get up on a bipartisan basis and argue again and again that every health insurance plan in America should cover mental illness and substance abuse treatment. It seems so obvious, and yet they had to fight the insurance industry for years before we finally achieved it. Now when you buy health insurance in America, it covers mental illness and substance abuse treatment. Thank goodness. We need it. We desperately need it. Yet that becomes one of the nonessential elements in the Republican analysis of health insurance.

What are they thinking? Have they listened or read recently about the opioid and heroin crisis in America? I have sat at tables with victims, addicts who, thank goodness, had an intervention, had an opportunity, and now can speak of their addiction in the past tense.

These are amazing young people whose lives were compromised and threatened because of addiction. How did they turn the corner? They turned the corner because of loving families, their personal determination, and the availability of medical treatment under their health insurance plans.

Now the Republicans are arguing in the House of Representatives that we don't need that coverage, we don't need that protection. We do now more than ever.

When I hear the Republican leader come to the floor and criticize the Affordable Care Act, I basically have to ask him, Is this a problem that is of your own creation?

The Republicans, including the leader, have refused to sit down with Democrats and work on a bipartisan solution. In fact, when the Republican leader sat down to determine how the Senate would respond to the House action, he put together a group of, I believe, 12 Republican Senators—no Democrats allowed—to sit down and write the alternative. That is not a good way to start this.

What we ought to do is to say, first, we are not going to repeal the Affordable Care Act; we are going to improve it, and we will do it on a bipartisan basis. If the majority leader wants to suggest that, I would like to be part of it. Many Democrats would like to be part of it. Take repeal off the table before the conversation on repair begins. I think that is essential. Let's make sure that within health insurance in America we have some basics.

First, if you have a preexisting condition, you shouldn't be disqualified from

health insurance or you shouldn't have to pay twice the premiums. That is something that is now built into the law that the Republicans want to repeal. Well, I want to make sure that preexisting conditions are protected.

As I have said on the floor before, a couple of weeks ago I had a heart procedure, a catheter procedure, an outpatient procedure. Apparently it worked pretty well. I am standing here talking to you today. I feel good. But a lot of people go through this, and I became a statistic the day that happened. I guess I now have a preexisting condition; so be it. One out of three Americans fit that category. Why would we not protect them in any health insurance reform bill? That seems like the starting point in our conversation. Yet the bill that passed the House, the Republican bill that passed the House allows Governors to basically ask for waivers so that health insurance plans in their States will not cover people with preexisting conditions or allow people with those conditions to have the same premiums. That is not a good starting place. It is a terrible starting place.

Let's try to make sure that if we are going to move forward on real healthcare reform, we do it in a sensible fashion. Let's put forward a bill not like the one that passed the House, but let's put together a bill that has the support of hospital administrators across the Nation. Let's put together a bill that protects the Medicaid expansion that is part of the Affordable Care Act.

Medicaid is an essential part of healthcare in America for tens of millions of people. Medicaid—most people think, oh, that is health insurance for poor people. Really? That is not an accurate description. For example, in the State of Illinois, Medicaid provides health coverage for half of the children who are born in my State—prenatal care, postnatal care, and the actual delivery of half of the children in my State, under Medicaid.

That is not the most expensive part of Medicaid. The most expensive part in my State and across the Nation is the fact that Medicaid is there to help your mother or grandmother or your dad or your grandfather when they are in a situation in life where they need a helping hand. They may be in an assisted care facility, and the Social Security check is not enough; Medicare is not enough. Medicaid steps in to make sure they have the quality of care they need. Are we going to eliminate that kind of protection?

Ask disabled people and ask the organizations that represent them what it means to have a good strong Medicaid system. These people rely on Medicaid for maintaining their health through disability, day in and day out.

So when the Republicans propose an \$840 billion cut in Medicaid protection across America over 10 years, sadly, they are setting out on a path that could compromise the basic care we

need for babies and new moms, for the elderly in assisted care facilities and nursing facilities, and for the disabled who live in our States. We don't want to see that happen.

It is interesting that my Republican Governor in the State of Illinois seldom comments on Federal legislation. He came out in opposition to the bill that passed the House of Representatives. He said that this is a significantly bad bill for the State of Illinois, and I agree with him. I am glad he spoke up. I don't know how the seven Republican Congressmen who voted for it in my State can ignore that reality. Our Governor—our Republican Governor—believes it is bad for our State in cutting back Medicaid. The hospitals believe it is bad for our State in the impact that it will have on down-State hospitals. Doctors, nurses, and pediatricians also oppose it.

What can we do? What should we do? First, we ought to try to see what we can do to make the Affordable Care Act work better. We can do that on a bipartisan basis. We want to make sure, as the Senator from Kentucky said earlier, that there are available health insurance programs in every county of every State. Certainly, one thing we can do is make sure that a public option is there for everyone if they choose it—something that looks like Medicare.

People respect Medicare. Medicare is a great program for millions of Americans who are seniors and disabled. Why wouldn't we create a program like Medicare—a not-for-profit, government-operated program like Medicare for people who wish to have it? Those who don't can stick with private insurance if that is their choice, but I believe more and more people will move toward the Medicare option. That is something I would like to put on the table in reforming the Affordable Care Act.

Secondly, we need to address the cost of pharmaceutical drugs in America. The costs are out of control.

This week I received a publication from the AARP, the American Association of Retired Persons, and they are talking about what is happening to pharmaceutical prices across America. You don't have to tell seniors or those who buy prescription drugs what the reality happens to be.

Let me give you a few numbers to demonstrate why we need to have a new program to make sure drug prices don't go out of control. According to AARP, Americans spent \$457 billion on prescription drugs in 2015, up about 8 percent over the previous year—\$457 billion. The rise in prices for the most popular brand name drugs from 2008 to 2016 is over 200 percent. They have more than doubled in that 8-year period of time for the most popular drugs.

The median salary of a pharmaceutical firm's CEO in 2015 was \$14.5 million, more than any other industry; \$6.4 billion is the amount drug compa-

nies spend advertising directly to consumers in the U.S. annually; \$24 billion is the amount drug companies spend per year marketing to doctors. We are one of only two nations in the world that allows direct consumer advertising. Think about what that means.

When you see all these ads on television for drugs with names you can't pronounce, why are they doing it? It is because the drug companies know that consumers across America will write down the name of the drug and go ask the doctor to prescribe it. Many times, the doctor, rather than debate the issue with the patient or suggest they don't need it or should use a generic, will just write out the prescription. What happens? More expensive drugs get into the system, raising the cost of healthcare, raising the cost of premiums for health insurance. It doesn't make us healthier; it just means healthcare is more expensive.

I love to listen to the warnings on these drugs that go on and on and on. One of my favorites was this: Be sure and tell your doctor if you have had a liver transplant. I am thinking to myself, yeah, I think I would probably mention that somewhere along the way to a doctor.

These warnings should give us fair warning that this is inflating the cost of healthcare across America. It is not making us healthier, and it is running up profits dramatically for pharmaceutical companies. Why is it that exactly the same drugs made in the United States sell for a fraction of their cost in America in places like Canada and Europe? It is a legitimate question. We ought to address it. Do we have the political nerve to do it? I hope so, as part of the Affordable Care Act reform. I hope we sit down and do something on a bipartisan basis to deal with the challenges we face, but first, take repeal off the table.

Let's make the Affordable Care Act stronger. Let's do it on a bipartisan basis. Let's set out to come up with a solution that doesn't do what the House version did, which could eliminate health insurance for millions of people across America and a million people in my State of Illinois.

Mr. President, I yield the floor.

RECOGNITION OF THE MINORITY LEADER

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

PRESIDENT'S MEETING WITH RUSSIAN OFFICIALS

Mr. SCHUMER. Mr. President, by now we have all had the chance to read the report in the Washington Post that alleges stunning behavior on the part of the President in a meeting with the Russian Ambassador and Russian Foreign Minister.

According to the report, the President revealed classified information about a terrorist threat to officials of a foreign government. The President didn't share it with just any government; the report states he shared it with the Russian Government, a global adversary that has violated the sovereignty of peaceful nations, propped

up dictators and human rights abusers, including Iran and Syria, and has been widely proven to have interfered in our elections and the elections of our allies in Europe.

If this report is indeed true, it would mean that the President may have badly damaged our national security, nothing less, and in several ways. First, the act of a disclosure of this type could threaten the United States' relationships with allies that provide us with vital intelligence and could result in the loss of this specific intelligence source.

We rely on intelligence from our allies to keep America safe. America can't have eyes and ears everywhere. If our allies abroad can't trust us to keep sensitive information close to the vest, they may no longer share it with us. That undermines key relationships and, even more importantly, makes us less safe.

Second, if accurate, such a disclosure could damage our interests in the Middle East. We do not collaborate with Russia in Syria or elsewhere in the Middle East for the simple fact that we have diverging interests. Russia, for example, has worked with Iran to prop up the brutal Assad regime. Sharing vital intelligence with Russian officials could allow the Russians to pursue or even possibly eliminate the source or figure out how the ally conducts operations, including any against Russia or Russia's allies in the region.

Third, if the report is true, the President's alleged carelessness with classified information will further damage the relationship between the White House and the intelligence community—an essential relationship for the security of America. The intelligence community needs to be able to trust the President and trust that he will treat classified information with caution and with care. Our intelligence professionals put their lives on the line every day to acquire information that is critical to our national security and critical to keeping Americans safe. They have done a very good job.

If the reporting is accurate, in one fell swoop, the President could have unsettled our allies, emboldened our adversaries, endangered our military and intelligence officers the world over, and exposed our Nation to greater risk.

Given the gravity of the matter, we need to be able to quickly assess whether this report is true and what exactly was said. So I am calling on the White House to make the transcript of the meeting with the Russian Foreign Minister and Ambassador available to the congressional Intelligence Committees as soon as possible. The White House should make the transcript of the meeting available immediately to the congressional Intelligence Committees. If the President has nothing to hide, he should direct that the transcript of the meeting be made available.

The Members who sit on those committees have the necessary clearances

to review the transcript and any related summary of the President's meeting with the Russians. I agree with the senior Senator from Maine that this briefing should happen immediately. Those committees would be able to help establish the facts before we grapple with the potential consequences.

Last night, the administration issued several overlapping denials. Some questioned the overall veracity of the account. Some took pains to specifically deny certain accusations but not others. This morning, the President tweeted a version of events that undercut his advisers' carefully worded denials and seems to confirm the reports that he had shared the information in question.

Following so closely after Mr. Comey's firing, which was rationalized to the press and the American public in several different ways over the course of a week, this administration now faces a crisis of credibility. The President has told us that we cannot take at face value the explanations of some of his key advisers, but the events of the past week have taken this to an untenable extreme. The timelines and rationales in the administration contradict one another. The truth, as it were, sits atop shifting sands in this administration.

We need the transcripts to see exactly what the President said, given the conflicting reports from the people in the room. Producing the transcripts is the only way for this administration to categorically prove the reports untrue.

Mr. President, there is a crisis of credibility in this administration which will hurt us in ways almost too numerous to elaborate. At the top of the list is an erosion of trust in the Presidency and trust in America by our friends and allies. The President owes the intelligence community, the American people, and the Congress a full explanation. The transcripts, in my view, are a necessary first step. Until the administration provides the unedited transcript, until the administration fully explains the facts of this case, the American people will rightly doubt if their President can handle our Nation's most closely kept secrets.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority whip.

NATIONAL POLICE WEEK

Mr. CORNYN. Mr. President, I noted yesterday that this week we celebrate National Police Week. In particular, we recognize and remember those law enforcement officers who have paid the ultimate price and sacrificed their lives to protect the communities in which they serve. Yesterday, I had the chance to speak about Javier Vega, Jr., a Border Patrol agent who served in South Texas and was tragically killed by two illegal immigrant criminals.

Today, I want to talk about the attack on law enforcement officers in Dallas almost a year ago. Last July, about 800 people gathered in downtown

Dallas for a peaceful march. Given the size of the event, dozens of law enforcement officers were on hand to protect the protesters so they could exercise their fundamental constitutional right. Before 9 p.m., the event had been going very well, by any standard. There wasn't any violence reported in the crowd, even though some similar events across the country hadn't been as calm. But in Dallas, it was clear that there existed a mutual respect between the citizens protesting and law enforcement. There were even social media posts of protesters embracing police officers in a show of solidarity and friendship.

Unfortunately, the night would soon be robbed of any enduring image of that sort of positive scene. A man—someone who came that night explicitly to target law enforcement officers—opened fire, killing five officers and wounding seven more—the deadliest day for American law enforcement since 9/11. The officers who lost their lives that day—Breton Thompson, Patrick Zamarippa, Lorne Aherns, Michael Krol, and Michael Smith—will not be forgotten. They, like the other officers on duty that night—many of whom were injured by the gunmen—didn't look the other way or run the other way when the violence erupted. Like the heroes they are, they ran to the danger, not away from the gunshots and the uproar. They, like law enforcement officers across the country, weren't about to shy away from doing their job, even if that meant putting their own lives on the line.

So today, I want to commend the men and women of the Dallas police force, a group of men and women with incredible courage and unflinching valor in the face of danger. This Police Week I am particularly grateful to them and to the officers and first responders all over the State of Texas and all around our Nation who count the costs and choose to serve their communities day after day, often with little thanks or recognition.

As I said last summer, it shouldn't take an event of this scale to jolt our consciences into action. As legislators, we have tremendous opportunities to better support our men and women in blue who risk their lives to protect ours. We have a duty to do all we can to keep them safe and to keep our society safe and peaceful. So as we celebrate Police Week, I hope we can each do our part to better support the men and women serving in law enforcement.

Later today, Mr. President, I plan to introduce a piece of legislation called the Back the Blue Act, along with Senator CRUZ and Senator TILLIS. This is legislation that makes clear our support for these public servants who spend their lives protecting us and serving us. The Back the Blue Act would create a new Federal crime for killing or attempting to kill a Federal judge, a law enforcement officer, or a federally funded public safety officer.

It would create a new crime for assaulting a law enforcement officer, as well.

There is no justification—none at all—for attacking a police officer. It is an act of anarchy to attack the very people who help keep our society safe and protected.

We need to know and need to show that we value their lives, and we need to make it absolutely clear that we will hold those who carry out crimes against our police officers accountable. The Back the Blue Act sends that message loud and clear.

I think it is important to point out that this legislation would also help make our communities stronger by allowing grant funds to be used for efforts to help foster more trust between police and the communities they protect. This bill would better serve the men and women who work tirelessly in our communities every day. So I would hope our colleagues would join me in supporting it.

We can do more to protect and support our law enforcement officers, and we can start with the Back the Blue Act to do just exactly that.

I yield the floor.

THE PRESIDING OFFICER (Mr. PERDUE). The Senator from Massachusetts.

Mr. MARKEY. Mr. President, I would like to commemorate National Police Week and the lives and sacrifices of two extraordinary Massachusetts law enforcement officers who fell in 2016: Thomas Clardy, a trooper with the Massachusetts State Police, and Ronald Tarantino, a police officer with the Auburn Police Department. Their names will be inscribed on the National Law Enforcement Officers Memorial here in Washington, DC, in honor of their service.

By the end of this year, more than 21,000 names will be on that wall. We will never forget their service and sacrifice to our communities and to our country. With the help of the National Law Enforcement Officers Memorial Fund, we pledge to their families and loved ones that they will have the support and resources they need.

FIRING OF JAMES COMEY

Mr. President, I rise to speak about President Trump's firing of FBI Director James Comey. In and of itself, this action by President Trump is seismic and has shaken the very foundation of our government and, I dare say, of our democracy. But just yesterday, the American people were also once again confronted by Presidential actions that raised both alarm and the need for investigation. In a new story, the Washington Post reported that President Trump revealed highly sensitive classified material to senior Russian officials during a meeting last week. According to the Post story, President Trump reportedly revealed information about ISIS that could compromise a partner country's key intelligence sources and enable Russia to, according to the story, "identify our sources and techniques" for gathering intelligence.

There could be no greater compromise of American security. The information that President Trump revealed was so sensitive that the United States had previously refrained from sharing it even with our allies.

President Trump's decision to relay some of our most sensitive intelligence with representatives of the Russian Government betrays an astounding lack of judgment. By revealing what is called "code-word" information to Russia, President Trump may have compromised key intelligence sources, endangered the fight against ISIS, and undermined the trust of our international partners.

While the President may have the authority to declassify U.S. intelligence, it is imperative to the safety of our military and intelligence personnel and those of our partners that he do so through a careful and deliberative process. There is no evidence that Donald Trump did that.

Congress must immediately investigate this irresponsible action and take steps to ensure that President Trump does no additional damage to national security in his dealings with Russia. This dangerous behavior comes on the heels of the President's reckless decision to fire former FBI Director James Comey, pushing our country ever closer to a constitutional crisis. President Trump's firing of Mr. Comey is disturbingly reminiscent of Watergate's Saturday Night Massacre, when our Constitution was last subject to an executive-branch-induced stress test.

Then, President Nixon fired the independent prosecutor, Archibald Cox, who was leading the investigation into the Watergate scandal and the Nixon campaign's involvement in it. Now President Trump has fired his FBI Director, who was leading the investigation into the Russian interference scandal and the Trump campaign's involvement in it. Mark Twain is purported to have said that history doesn't repeat itself, but it does tend to rhyme. Unfortunately, there is no humor in President Trump's actions.

At first, we were supposed to believe that the President fired Director Comey because of the way he handled the investigation of Hillary Clinton's email server, which was unfair to her. That was what President Trump sent his staff out to tell the press and the American people. The official White House statement from Press Secretary Sean Spicer on May 9 said that President Trump acted based on the clear recommendation of both Deputy Attorney General Rod Rosenstein and Attorney General Jeff Sessions. That was a reference to the now-infamous memorandum by Attorney General Sessions, prepared by Deputy Attorney General Rod Rosenstein, which cited Comey's "handling of the conclusion of the investigation of Secretary Clinton's emails" as the reason why the public purportedly had lost confidence in the FBI and on which Attorney General Sessions based his recommendation to the President that he fire Mr. Comey.

On May 9, Counselor to the President Kellyanne Conway said that President Trump "took the recommendation of his Deputy Attorney General, who oversees the FBI Director." Then on May 10, Deputy White House Press Secretary Sarah Huckabee Sanders said that the President "took the recommendation seriously. And he made a decision based on that." Even Vice President PENCE said that President Trump's decision to fire Comey was based on the Rosenstein memo.

So the American people were being told to believe that President Trump took the unprecedented step of firing the FBI Director in the midst of an investigation of the Trump campaign because James Comey was too hard on Hillary Clinton. That simply didn't pass the laugh test. Who can forget that Candidate Trump repeatedly called her "crooked Hillary Clinton" throughout the campaign? Who can forget that Candidate Trump applauded Director Comey for the way he handled the Clinton investigation? At the end of October 2016, just days before the election and after Comey had reopened the Clinton email investigation, Trump said that Comey had "guts" and had "brought back his reputation."

But it took only 1 day after Mr. Comey's firing for President Trump himself to admit that reason was utterly false. In an interview President Trump said that Rosenstein "made a recommendation, but regardless of recommendation I was going to fire Comey, knowing there was no good time to do it."

So much for the Rosenstein memo. So much for the White House press statement. So much for what Kellyanne Conway said. So much for the words of the Vice President of the United States. If that admission wasn't enough, President Trump went on to tell everyone what was on his mind when he made that decision. Here is his quote:

And, in fact, when I decided to just do it, I said to myself, I said, "You know, this Russia thing with Trump and Russia is a made-up story. It's an excuse by the Democrats for having lost an election that they should have won."

President Trump's statements about the Russia investigation are, of course, untrue. There is nothing made up about the conclusion of the intelligence community that Russia interfered with our election. The allegations of the Trump campaign's collusion with the Russians are serious. That is why the FBI and the House and Senate Intelligence Committees have been investigating them.

So contrary to what White House senior administration officials and—the President, in fact, admitted that he fired the Director of the FBI precisely because he was overseeing an investigation of the Trump campaign and its ties to Russia. According to all of these various reports, the President did so just after Director Comey had gone to Deputy Attorney General Rosenstein

and asked for more resources for the Russia investigation.

The firing of James Comey now brings the number of law enforcement officials who were investigating the Trump campaign or his administration when they themselves were fired to three—first, Manhattan U.S. Attorney Preet Bharara, then Deputy Attorney General Sally Yates, and now Director Comey.

President Trump himself, in his termination letter to Comey, made no mention of the Clinton email investigation but instead expressly linked the firing to the Russia investigation. Trump claimed that he fired Comey despite Comey having informed the President on three separate occasions that he was not under investigation—a claim that has not been substantiated.

Here is the plain and simple truth: President Trump feared that the FBI investigation into his campaign's possible collusion with Russia was getting too close for comfort, so he fired Director Comey. Comey's firing could be nothing less than obstruction of justice masquerading as a personnel action. It is what impeding a Federal investigation looks like. It is what an assault on the rule of law looks like.

If there is one lesson President Trump should have learned from Watergate, it is this: If you are under investigation, don't fire the investigator.

But as disturbing as Mr. Comey's firing is, it gets worse. Days after, President Trump tweeted a veiled threat—one that smacked of witness intimidation. Here is the quote: "James Comey better hope that there are no tapes of our conversation before he starts leaking to the press." Are there recordings? We don't know yet. But if there are, the White House and Justice Department must ensure that they are preserved.

It is clear that President Trump did not learn any of the lessons of Watergate, which only underscores the need for a special prosecutor independent of the White House and Justice Department to get to the bottom of this. The role of a special independent prosecutor is to follow all of the facts wherever they lead. That individual needs to be as far away from the White House as possible.

Deputy Attorney General Rosenstein should not be the one to appoint a special prosecutor. Just 3 weeks on the job, Mr. Rosenstein is now compromised by the questions swirling around his role in the Comey firing: Did Comey meet with Rosenstein and ask for more resources for the Russia investigation? Why did Rosenstein discuss the removal of Director Comey with Attorney General Sessions after Sessions had recused himself from the Russia investigation? Why didn't Rosenstein question Sessions's involvement?

The magnitude of—the decision to appoint a special counsel in these circumstances cannot be made by a political appointee. Instead, I join Minority

Leader SCHUMER's call that the appointment must be made by the highest ranking career civil servant in the Justice Department, someone insulated from politics and the White House. Until we have an independent special prosecutor appointed, we should not move forward with the confirmation of any replacement for James Comey as Director of the FBI.

Additionally, Director Comey should come and testify before Congress, which both Senate Intelligence Committee Chairman BARR and Vice Chairman WARNER have already requested, clearly showing the bipartisan support for this. There are too many unanswered questions that only Director Comey can answer.

Finally, while it has been announced that Deputy Attorney General Rosenstein will brief all Senators and answer their questions, we must still hear from Attorney General Sessions.

We must not lose sight of the fact that a foreign power interfered in our last Presidential election and that the Trump campaign may have colluded with it to win the White House. This strikes at the heart of our government and our very democracy. Our elections must be fair and free of foreign interference. It is time for both Democrats and Republicans to put love of country ahead of party and to come together and demand the appointment of a special prosecutor who will investigate and follow the facts no matter where they lead.

Mr. President, I would like to conclude my remarks today by expressing my opposition to the nomination of Jeffrey Rosen to be Deputy Secretary of Transportation. Mr. Rosen has a long history, both in government and in the private sector, of defending private industry against regulations designed to protect the American public. When he first worked for the Department of Transportation, he touted the fact that he was involved in ending or withdrawing 180 potential Transportation Department rulemakings.

He has also been hostile to environmental regulations designed to protect our air and water. He opposed greenhouse gas emissions regulations in his role at the Office of Management and Budget and personally represented the U.S. Chamber of Commerce in attempting to undermine climate change science in order to fend off potential regulations. Mr. Rosen's firm represented the Alliance of Automobile Manufacturers and other auto groups against California over rules meant to reduce greenhouse gas emissions and increase nonpolluting vehicles.

I will vote no on Mr. Rosen's nomination because our automobile safety, environment, and clean energy future are just too important. I urge my colleagues to join me.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

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

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

RUSSIA INVESTIGATION

Mr. DURBIN. Mr. President, last week, the American people were stunned by what we learned happened in the White House. We saw an alarming set of developments about how this President is handling the investigation into Russia's interference with our democracy.

Last Monday, the Senate Judiciary Committee heard testimony from Sally Yates, whom President Trump had asked to serve as Acting Attorney General when he was first sworn into office. Ms. Yates testified that soon after the inauguration, she twice visited White House Counsel Don McGahn to warn him about National Security Advisor Michael Flynn. She warned that General Flynn had been compromised by his secret communications with Russian Ambassador Kislyak and that General Flynn could be blackmailed.

Ms. Yates first visited White House Counsel McGahn on January 26. McGahn invited her back to ask followup questions the following day, on January 27. Those followups included questions about General Flynn's potential criminal exposure.

What else happened on January 27? The President of the United States brought in FBI Director James Comey for a one-on-one dinner, where he reportedly asked Director Comey for a pledge of loyalty. Is the timing of this Comey dinner curious? You bet it is. According to Press Secretary Sean Spicer, President Trump was briefed immediately by White House Counsel McGahn after Ms. Yates' warning. That means the President knew about the Justice Department's concerns with Flynn when he met Director Comey for dinner.

Was the President's request for loyalty from Director Comey an attempt to impede the Justice Department's investigation into General Flynn? Was it an effort by the President to inoculate himself from Russia-related investigations? These are unanswered questions. But when Director Comey reportedly refused to swear his loyalty to President Trump, he apparently sealed his fate as Director of the FBI.

Last Tuesday evening, President Trump fired Director Comey while Comey was giving a speech to FBI agents in Los Angeles. The reason? Well, on Thursday, the President made clear that the Russia investigation was on his mind when he fired Director Comey. He said to Lester Holt of NBC: "When I decided to do it, I said to myself, you know, this Russia thing with Trump and Russia is a made up story." President Trump later said that the Russia investigation "should be over with, in my opinion, should have been over a long time ago." Then, on Friday, the President found time to threaten Mr. Comey on Twitter, implying that he had taped their conversations and that he would release the tapes if Comey disclosed what he knew.

Let's be clear. The President is in dangerous territory here. What the President is doing when it comes to potential obstruction of justice is similar to a chapter in history many of us remember. On October 20, 1973, President Nixon fired special prosecutor Archibald Cox when his Watergate investigation got too close to the White House. That sparked a constitutional crisis in America.

Now we have learned that President Trump has disclosed highly classified information to the Russian Foreign Minister and that same Ambassador, Kislyak. The Washington Post reported that the President specifically revealed extremely sensitive intelligence considered so sensitive that details were being withheld from America's allies and tightly restricted even within our own government. Last night, the White House denied this happened. This morning, however, President Trump confirmed in two separate tweets that the story was true.

This kind of disclosure is what former Director Comey and just about every other congressional Republican described last year as "extremely reckless" in the handling of classified information. It jeopardizes critical intelligence sources in the fight against ISIL and the broader fight by America against terrorism.

This morning, European officials reacted, told the Associated Press that at least one European country might stop sharing intelligence with the United States if this is how it is going to be treated. That is not, as the majority leader described it this morning, "drama." This is a real consequence of a dangerous President putting American lives at risk. This is truly incredible and historic. It is a national security breach by the President of incredible proportions. How in the world can we trust the President to put the national security needs of the American people ahead of his own?

There are a lot of parallels between the Watergate era and what we see today, but one major difference from the Nixon era to the Trump era is the willingness of Republicans in Congress to speak out against the abuse of power and to actually serve as a check on the Presidency. Back in Nixon's day, there were Republicans in Congress who were willing to speak truth to power, to say: Enough of the lies and damage to our democratic institutions, and to put the country ahead of party.

Listen, in November of 1973, just a few weeks after the Saturday Night Massacre, Senator Edward Brooke of Massachusetts was one of the first Republicans to stand up and say he did not feel the country could "stand the trauma that it has been through for the past few months."

In July of 1974, Republican Congressman Lawrence Hogan of Maryland said:

The evidence convinces me that my President has lied repeatedly, deceiving public officials and the American people. . . . Do we want to be the party loyalists who in ringing

rhetic condemn the wrongdoings and scandals of the Democratic Party and excuse them when they are done by Republicans?

On the same day, Republican Congressman William Cohen of Maine said:

I have been faced with the terrible responsibility of assessing the conduct of a President that I voted for, believed to be the best man to lead this country, who has made significant lasting contributions toward securing peace in this country and throughout the world, but a President who in the process, by act or acquiescence, allowed the rule of law and the Constitution to slip under the boots of indifference and arrogance and abuse.

Republican Congressman from Virginia M. Caldwell Butler said:

For years we Republicans have campaigned against corruption and misconduct. . . . But Watergate is our shame.

Republican Congressman Paul Findley of Illinois, whom I ran against when I first had the privilege to serve in the House and whom today I call a friend, said a month later:

Hearings of the Judiciary Committee and developments in the courts have, I believe, clearly established gross negligence, maladministration and moral insensitivity on the part of the President.

That same month, Republican Senator Barry Goldwater from Arizona said:

There are only so many lies you can take, and now there has been one too many.

In fact, at the same time, Senate Republicans nominated Goldwater to deliver a direct message to President Nixon. Goldwater, along with the House Republican leader, John Jacob Rhodes, and the Senate Republican leader, Hugh Scott, went to the White House, sat directly in front of President Nixon's desk, and explained that enough was enough.

These courageous Republicans were, of course, talking about lies, corruption, the obstruction of justice, and a danger to our democratic system of government emanating from the Nixon White House. They took our oath of office to protect the Constitution against all enemies, foreign and domestic, and certainly above a party or short-term policy gain—they took it seriously, and to their courage, we and history owe them a debt of gratitude.

So I ask today, amid a swirling and deeply troubling mix of lies—nearly 500 in just the first 100 days of this new Presidency—obfuscation, the withholding of information, attempts to interfere with Federal investigations regarding possible collusion with a foreign adversary, and thinly veiled threats against those involved in such investigations by our current President, where are the many Republican patriots who are ready to stand up against these troubling abuses and threats?

It has now been more than 7 months since 17 of our intelligence agencies provided overwhelming evidence of a Russian attack on our democracy and an attempt to help elect someone seen as more favorable to their interests, not our interests. The evidence was damning and continues to emerge. Yet

what has this Congress done during this same 7-month period to uphold our oath to "support and defend the Constitution of the United States against all enemies, foreign and domestic"?

Have congressional Republicans launched an independent investigation into this historic cyber act of war as we did after 9/11? Unfortunately, no.

Have congressional Republicans retaliated against Russia for its actions by imposing sanctions or taking other actions, making sure its leadership knows it will pay a price for such attacks and think twice before doing so against the United States or at the expense of our allies? No.

Have Republicans in Congress passed meaningful cybersecurity legislation to help protect America against future attacks and help any States that request help? No.

Have Republicans demanded the appointment of a special prosecutor and insisted that the White House turn over all documents regarding the Trump campaign and ties with Russia, including potentially Russian intelligence? No.

Have Republicans demanded that the President explain why he keeps denying Russia's attack on our election in the face of overwhelming evidence? No.

In fact, has the majority party done anything to respond to, protect against, or even address these troubling attacks and refusals to cooperate from the White House? Sadly, no.

Let me tell you what the majority party has found time to pursue during the 7 months after an attack on our Nation—a cyber act of war that will live in cyber infamy. Some of this you simply cannot make up.

The Republican majorities in the House and in the Senate passed legislation making it easier to kill baby bear cubs and their mothers in their dens, making it easier to work with corrupt regimes overseas, making it harder for Americans to save for retirement, and they are trying to strip healthcare away from millions of Americans in order to pay for tax cuts for the wealthiest people in America.

This is, quite simply, an abdication of the majority party's responsibility in Congress to address an attack by a foreign power on our Nation and investigate possible collusion by an erratic and sometimes deceptive White House.

Let me close by asking my Republican colleagues, whom I know care very deeply about the Senate and our Nation, When will you speak up about the travesty unfolding? When will you take even a fraction of the action that would have most certainly occurred if these outrages had occurred under a Democratic President?

We need Republicans in Congress to stand up and protect our democratic institutions and to support a special prosecutor and an independent investigation into the Russian election interference now.

I am hopeful some Republican Senators will have the courage to join us

in calling for a special prosecutor. We need someone above politics and above the controversy whom we can trust to really pursue the facts and the evidence, wherever it may lead, to determine what we can do to protect America from another Russian attack in our next election and to hold Russia accountable for what we have been through. It is time to do this on a bipartisan basis. America is waiting.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. FLAKE). If no one seeks recognition, time will be charged equally to both sides.

The Senator from Louisiana.

HEALTHCARE LEGISLATION

Mr. CASSIDY. Mr. President, it is fair to say that Americans are sick of partisanship when it comes to issues of greatest concern. They are asking, if you will, that we in the Senate put party behind us—behind the needs of the people. This is especially true when we are speaking of those issues of greatest importance, and I would argue that the replacement of the Affordable Care Act is one of those issues of greatest importance.

Whatever the excuse, no Senator of either party should sit on the sidelines. This is such an important issue that every Senator, whatever her or his personal views, should be engaged.

We know President Trump's principles, if you will. He laid them out time and again on the campaign trail. He wants to maintain coverage, lower premiums, care for those with pre-existing conditions, and eliminate the ObamaCare mandates upon individuals and businesses.

At his inauguration speech, he spoke of the forgotten man and of the forgotten woman. In fact, we can see that just before his inauguration, he emphasized that with what he said during the campaign:

We're going to have insurance for everyone. There's a philosophy in some circles that if you can't pay for it, you don't get it. That is not going to happen to us.

He also emphasized the quality of the care, saying that people covered under the law that he would propose to replace can expect to have great healthcare. "It will be in a much simplified form. Much less expensive, much better," he said to the Washington Post just before he was sworn in. These are his principles.

When he was sworn in and gave his inaugural address, speaking of the forgotten man and the forgotten woman, I cannot help but think that he was influenced as he went through counties seeing folks with terrible tales of their child dying from opioid addiction or their spouse unable to afford insurance under ObamaCare.

I will point out that there is a huge dimension to this that we sometimes forget, but we should not. Senator JERRY MORAN from Kansas made the point that healthcare is like no other issue. It is an issue which touches us most personally. I think President

Trump saw that on the campaign trail. He saw the parent of an adult child with mental illness, and she could not get a psychiatric bed for her child. We know the fate of that child if he does not have the care he needs. He will end up either in a homeless shelter, a jail cell, or the morgue. That is the human dimension to this, and that is why we need to help President Trump fulfill his pledge.

Voters understand what we are speaking of; they understand the importance of it. But let me speak just a little bit more to the politics of this because we cannot separate what we do here in Washington, DC, from politics.

There are researchers from Princeton who recently published a report. If you look at White males and females between 18 and 54 who lack a college education, their life span is decreasing. Now, for Hispanics, African Americans, and other minorities, it is improving, but for this group, it is decreasing.

I have seen data which shows that in the population centers of the United States in which this phenomenon is being most seen—these Whites from age 18 to 54, noncollege educated, their life span is decreasing—the counties in which this effect is most seen were most likely to vote for Donald Trump. Think about the politics of this. The politics are that a group of folks who understand that their life is materially and physically declining, with higher rates of suicide, addiction, liver disease, and other chronic illness, ending in premature death, voted significantly more for the President who swore that he would remember them, who spoke of the forgotten man and the forgotten woman. His pledge to them was a lifeline. Their vote for him was a cry for help.

This is not just a human dimension; there is a political dimension leading to a policy necessity.

Let's stop for a second. There is a key issue of cost. We understand that the Affordable Care Act was too expensive. We can save money. But let's not fool ourselves; it is still going to cost. We can save the \$150 billion or so that the House suggested we have to save. We know the rules the Senate has to address to save at least that much money. On the other hand, we know that Congress has mandated people can get care; therefore, if Congress mandates that folks get care, then Congress should help provide the means by which to pay for it.

There are some who think, oh, my gosh, Congress does not need to provide for the money for care, and everything will be good. I am a physician. I have been in the emergency room at 2 in the morning, and at 2 in the morning, when those emergency room doors are open, whoever comes in is treated. She may have heart failure, he may have a drug overdose, they might be a schizophrenic, or they might be somebody vomiting blood. Each one of them receives all the care that he or she needs to stabilize their emergency condition.

And if they have to be hospitalized—think of a car wreck with multiple traumas—and they are in the hospital for 4 months, they still get that care because Congress mandates that. But, if Congress does not provide the means to pay for it, the cost of that care is shifted not to government; the cost of that care is shifted to the privately insured. All of those getting their insurance through their employer begin to pay higher premiums—much higher premiums. Somebody pays. And if we do not fulfill our obligation, after mandating that those patients get cared for—we, being Congress—then society pays, and society is the person struggling to make ends meet and now finds out from her employer that her premium has increased 20, 30, sometimes 50 percent—all because of the cost-shifting that occurs.

It is not just the group market. Under ObamaCare, we can see that in the individual market, premiums have skyrocketed. It is not that the Affordable Care Act is working so well. Last week I communicated with someone who lives in San Francisco, and she and her young family are paying \$20,000 a year for a premium, \$6,000 deductibles; none of them is sick, none of them will meet their deductibles, but living in a very expensive city, having to struggle to pay their mortgage, groceries, and transportation, now they have to come up with \$20,000 to pay for their healthcare. That is all because of the Affordable Care Act.

Then I spoke with a person in Washington, DC, and someone in Washington DC—that person who is a consultant on insurance issues, knows insurance backward and forward, says that for his family, the premium is \$24,000 a year, with a \$13,000 family deductible. The insurance expert says: I will be out \$37,000 in a single year before my insurance kicks in. Families cannot afford that.

I will finish up lastly with a story from Louisiana. Folks never believe this because it seems too crazy, but I put it on my Facebook page. There is a couple back home, 60 and 61. They were quoted a premium of \$39,000 for a premium of one year, with a deductible on top of that—\$39,000. We can see that in the individual market, the Affordable Care Act is not working, it is becoming the un-Affordable Care Act. We have to address this.

But let me say, we have to address it whether we are a Democrat or a Republican. We must respond to the cries for help coming from those folks suffering from addiction, mental illness, heart failure, or any other chronic disease for which they do not have coverage, but also to the cries for help from middle-class families who cannot afford these premiums, and if they don't sacrifice something in the budget to pay for it, under the Affordable Care Act, they will be fined.

Let's return to the political side. The political side is that I have voters back home asking why Republican Senators

are not helping a Republican President fulfill his pledge—a pledge to all voters—but one that certain Republican voters specifically took to heart; that is, to fulfill his pledge of caring for those with preexisting conditions, continuing coverage, lowering premiums, and eliminating mandates.

If you are a Democratic Senator, the forgotten woman and the forgotten man is in your State too. I can promise you, even if you are not a Republican but you are a Democrat, you have an opioid crisis in your State. So if we are now looking at addressing Medicaid expansion or the affordability of the individual market, and you are a Democratic Senator and you decide to sit on the sideline—if you are a voter in that State, you should be asking why.

Let's face it. Speaking of my Democratic colleagues, many of you do not like President Trump. Some of you hate President Trump. Some of you like him, but you have to pretend that you hate him. Even though this is President Trump's pledge, this is not about President Trump. This about the voters—the patients, the people in our States who either cannot afford their insurance or who have an addiction or some mental illness or some other critical mental healthcare need that, if this ObamaCare replacement is not done well, will leave them far worse off.

I have heard some of the excuses from my Democratic colleagues as to why they cannot participate. They say: Oh, we are using the word “repeal” or, oh, we are not going through a normal committee process—oh, this, or oh, that. I concede it all. Who cares? If you are a voter right now, and your child is addicted to opioids, do you really care that there is a semantic issue regarding whether or not we are saying “repeal” or “repair”? Do you really care that after 8 years of hearings, we don't have a few more hearings? Do you even understand the difference between reconciliation versus normal process? I would say no, because the principal thing that concerns you is that your child is desperate for help and you are not sure that the help will continue.

So I say to my Democratic colleagues: Whatever the excuse, ignore the excuse, and please engage.

Let me finish where I started. I think the average American right now wants every Senator, whether Republican or Democrat, to help President Trump fulfill his pledge to maintain coverage, lower premiums, and care for those with preexisting conditions, without mandates. Every Senator should listen to the American people as they ask us to put patients over party, to put the American people over partisanship.

Mr. President, I ask unanimous consent that the time during quorum calls until 12:30 p.m. today be equally divided.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BLUNT. Mr. President, I ask unanimous consent to engage in a colloquy with my colleagues on the floor to talk about Police Week.

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

NATIONAL POLICE WEEK

Mr. BLUNT. Mr. President, during this week, all across the country, people are honoring the men and women who serve as law enforcement officials. Clearly, they deserve and receive recognition every day for what they do, but this is an incredibly difficult job.

Last night, I was with some of our officers from Missouri and with family members, and I said: A lot of times, it is easier for you to walk out the door than it is for your family to see you walk out the door, not knowing what you are going to face every day.

When Senator COONS and I came to the Senate 7 years ago, we created and cochaired the Senate Law Enforcement Caucus. It is a privilege to be part of that and also to speak today on behalf of those who serve us.

This is a week in which we take a moment to recognize the law enforcement officers who have lost their lives in the line of duty. Today, I want to pay tribute to three Missouri law enforcement officers who were killed in the line of duty this past year. Master Sergeant Carl T. Cosper of the Barry County Sheriff's Office was one of those, as were Officer Blake Curtis Snyder of the St. Louis County Police Department and Deputy Sheriff Paul Allen Clark of the St. Francois County Sheriff's Office.

Just last month, Master Sergeant Cosper was killed in a vehicle collision while responding to a domestic disturbance call. He had served the Barry County Sheriff's Office for 10 years before that fatal accident.

In October of 2016, Officer Blake Snyder was shot and killed while responding to a disturbance. He had served the St. Louis County Police Department for 4 years. He is survived by his wife and their 2-year-old son. I had a chance last night to visit with his wife again. Elizabeth and her brother Justin, also a police officer in St. Louis County, were here earlier this year to talk about police and families and what we need to do to really express our understanding of what those families go through, their strength and their reliance, both humbling and inspiring, and I am sure they are passing along those very values to Blake's 2-year-old son.

In July of 2016, Deputy Sheriff Paul Clark died from complications related to injuries he sustained in October of 2015 when he was intentionally struck by a stolen vehicle near Desloge, MO.

Deputy Clark had served the St. Francois County Sheriff's Department for 13 years and had previously served with the Park Hills Police Department for 5 years. He is survived by his wife, two children, and by their grandchildren.

All of these individuals are heroes, and our prayers remain with their families.

Let me now turn to Senator COONS. As I said earlier, he and I founded the Law Enforcement Caucus when we came to the Senate. We try on a regular basis to have opportunities to talk about policing practices, family challenges, and mental health issues that police deal with every day. I turn to Senator COONS for some comments.

Mr. COONS. Mr. President, I thank my colleague from the State of Missouri. Working with Senator BLUNT, my cochair of the Law Enforcement Caucus, has been a terrific experience. We have had the opportunity over several years and several Congresses now for more than a dozen conversations, where we invite law enforcement leaders from around the country to talk about partnership between Federal, State, and local law enforcement, intelligence sharing, equipment issues, policy and operational issues to allow us to provide needed support for the men and women of law enforcement.

It is my honor to join with several of my colleagues today to recognize the men and women of law enforcement as part of National Police Week. Together, we offer our gratitude and our support to the men and women of law enforcement and their families, who together support our communities.

It is only May, and yet my home State of Delaware has already been reminded of the tremendous risks and great sacrifices made by law enforcement officers and their families.

In February of this year, Lieutenant Steven Floyd of the Delaware Department of Correction was killed on the job in a prison riot in Smyrna, the Delaware correctional center. He was a 16-year veteran of the department and left behind his wife of 28 years, Sandra; his children, Candyss, Steven, Jr., and Chyvante; and two grandsons.

Just last month, Corporal Stephen Ballard of the Delaware State Police was senselessly gunned down while investigating a suspicious vehicle. Corporal Ballard had served with the Delaware State Police for 8½ years and left behind his wife Louise and his daughter Abigail.

Delawareans are still grieving for the loss of both of these brave men in the line of duty.

As we recognize the entire law enforcement community from across our country during National Police Week, we should honor their sacrifice by serving them as well as they serve us. This week and every week, we must do everything we can to honor our obligations to fallen heroes and their families.

In the wake of these losses in Delaware, I am committed to continuing to

work with my colleagues across the aisle and across the country, like Senators KLOBUCHAR, CORNYN, and Senator BLUNT, to make sure our officers have the resources they deserve to do their jobs and to come home safely at the end of every shift. That means continuing to champion programs like the Bulletproof Vest Partnership, which literally saves officers' lives. Delaware knows the importance of this long-running program all too well. Two of our Delaware Capitol Police officers who were shot in the line of duty survived due to bulletproof vests provided through this vital and ongoing Federal-State partnership.

I will also continue to work here in the Senate with colleagues to reform the Public Safety Officers' Benefits Program to make sure the families of officers who lose their lives or are permanently disabled in the line of duty receive the benefits they deserve.

Chairman GRASSLEY, who has joined us here on the floor, is one of the lead cosponsors of this bill, along with Senators HATCH, GILLIBRAND, and KLOBUCHAR—is one of many cosponsors. This is a bill that will take important steps in these reforms, and it is just one step away from passing the Senate, and my understanding is it could head to the House of Representatives as early as later today.

Of course, our commitment to serving the men and women of law enforcement has to extend beyond the patrol car and the police station. Building and maintaining trust between law enforcement and the communities they serve is essential to preventing and reducing crime and keeping officers safe. That is why Senator BLUNT and I have both taken steps to encourage the strategy of community policing, which helps officers do their job more effectively in partnership with local communities. We have also continued to support local officials who are working to bring Federal resources, expertise, and convening power to help strengthen the bonds between the police and the communities they serve.

In light of all these important efforts, we can't let ideology or partisan politics in this Chamber prevent us from doing our job in support of law enforcement. We will fail those who serve us if we do so. We have to move forward in a bipartisan way to improve and invest in officer safety. That is why I am proud to stand with my colleague and partner from Missouri as cochair of the Law Enforcement Caucus. The mission of this bipartisan group of Senators is simple: to bring law enforcement, community leaders, issue experts, and Republicans and Democrats together to share ideas and generate solutions to challenges facing State and local law enforcement. We have hosted more than a dozen briefings and events.

Now more than ever, Senator BLUNT and I are committed to this mission. We are on the floor today to honor women and men, like Corporal Ballard

and Lieutenant Floyd from Delaware, who put on the uniform and the badge every day, not knowing whether they will come home at the end of their shift. We are here today for their families, whose sacrifice and burden are heavy.

When I attended Corporal Ballard's moving memorial service earlier this month, the most powerful speaker among many was his widow, Louise. She stood up, stood tall, and with a smile on her face thanked the 3,000 officers from 36 States across the country who had come to stand in solemn procession and honor Corporal Ballard's sacrifice and pay their respects.

Louise Ballard said:

This is my Stephen's victory, when I get to see men and women from all over the country who every single day get up and do a job. A job that's hard, a job that requires heart.

Few jobs are as hard or require as much heart as patrolling the streets and protecting our communities.

This week, together we honor the service and sacrifice of those law enforcement officers whose names have been added to the National Law Enforcement Officers Memorial this year and the hundreds of thousands, even millions, who even today, even tonight, will be on patrol keeping our communities and our families safe.

Mr. President, I yield to the chairman of the Senate Judiciary Committee, my colleague from Iowa and partner in legislating in the interest of law enforcement.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I thank my colleagues from Missouri and Delaware for leading this effort to honor our law enforcement officers and particularly those who have been killed in the line of duty.

In 1962, Congress passed a joint resolution proclaiming the week of May 15 as "National Police Week."

The National Law Enforcement Officers Memorial, located here in Washington, DC, is our country's monument to these fallen officers. Carved into the marble walls of the memorial are the names of the more than 20,000 officers killed in the line of duty throughout our Nation's history. Every year, tens of thousands of fellow officers from around the world come to Washington, DC, as part of Police Week to pay tribute to the men and women whose names are inscribed on this wall.

The planned events surrounding Police Week began with the 36th Annual National Peace Officers' Memorial Service, held on the west front of the U.S. Capitol. The President of the United States was the keynote speaker, and his presence was a testament to the fraternity of this noble profession. Immediately following the service, there was a wreath-laying at the National Law Enforcement Officers Memorial. The annual memorial service is an opportunity for all Americans to reflect on the dedication of these public servants and the ultimate sacrifice they have paid for this great Nation.

We should also acknowledge the families of the fallen, whose lives have been forever changed by the loss of their loved ones.

During the memorial service, there was a Roll Call of Heroes for the 143 law enforcement officers killed in the line of duty last year. Their names will adorn the memorial walls in perpetuity. The list of the fallen include five of my fellow Iowans: Sergeant Anthony Davis Bemino of the Des Moines Police Department; Officer Susan Louise Farrell of the Des Moines Police Department; Patrolman Justin Scott Martin of the Urbandale Police Department; Sergeant Shawn Glenn Miller of the West Des Moines Police Department; and Officer Carlos Bernabe Puentes-Morales of the Des Moines Police Department.

We honor these great heroes for laying down their lives to protect their communities in Iowa. There is no year in recent memory in which so many Iowans have lost their lives in the line of duty.

I would like to specifically address the ambush-style killing of Sergeant Bemino and Officer Martin. These officers were heinously murdered by the same perpetrator on the same night while they sat in their patrol cars. While the exact motive of the killer is unknown, he nevertheless sought out these brave men and gunned them down in cold blood.

These ambush-style attacks have become more prevalent since the incidents in Dallas, TX, and Baton Rouge, LA, spanning 10 days last July. According to a report by the National Law Enforcement Officers Memorial Fund, there were a total of 21 officers killed in ambush-style attacks just last year—the highest total in two decades.

There has been much vitriol written and directed toward law enforcement over the last few years. The notion that the actions of a few bad individuals implicate the entire profession may still, unfortunately, endanger public servants in the area of law enforcement.

This sort of rush to judgment against all law enforcement officers ought to end and end right now. The men and women of law enforcement make great sacrifices every day to protect our families and, of course, all of our fellow citizens. They do so freely, not out of a sense of obligation but because they are dedicated to the cause of justice.

Their devotion merits our attention, admiration, and we are deeply indebted to them. This is why today I am submitting a bipartisan resolution to commemorate Police Week and honor those who have given their lives in this pursuit. I thank my colleagues in the Senate who have cosponsored this resolution with me.

I call on all Americans to remember the fallen and pay tribute to the sacrifices they have made. To quote the motto of the Fraternal Order of Police Auxiliary: "Never Let Them Walk Alone."

I hope that during Police Week, the Senate will pass my legislation to reform the operations of the Public Safety Officers' Benefit Program. Delays in the award of benefits to the families of fallen officers have become intolerable, and those families deserve to know the status of their applications during the process.

In addition, the Judiciary Committee has reported two other bills that I hope the Senate will take up during Police Week. One bill sets standards for the use of a new form of DNA evidence. The second makes an allowable use of COPS grants for recruiting and promoting of military veterans as police officers.

Finally, during Police Week, my Judiciary Committee will report a bill that is designed to provide mental health services to police officers who live through and with enormous stress as they work to protect us.

I am pleased to join with my colleagues in saluting the service of our law enforcement officers during Police Week.

I yield the floor.

Mr. BLUNT. Mr. President, before we turn to Senator CORNYN, I want to mention his leadership in the National Criminal Justice Commission Act and also thank Senator GRASSLEY for moving the Law Enforcement Mental Health and Wellness Act out of his committee this week. Those are two of the things we clearly can do that will make a difference to people in law enforcement and their families, and there has been no more strident advocate of families or those who serve in law enforcement than the Senator from Texas, Mr. CORNYN.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, I am delighted to be here during Police Week, along with our colleagues from Missouri, Delaware, Minnesota, and Iowa to celebrate the men and women in blue who put their lives at risk so that our communities can be safer, more stable, more prosperous places.

I am reflecting this week on the terrible experience in Dallas, TX, about a year ago when Chief David Brown inspired the Nation with his response to the terrible tragedy there that took the lives of five Dallas police officers and injured seven more.

Following the attack, Chief Brown made clear that if you want to see change or if you want to protest law enforcement, why not instead join their ranks and be a part of the solution. I am grateful to him for his encouragement of the young men and women who have many opportunities to serve their communities—many in uniform.

The truth is, we can do a lot of good by inspiring confidence in law enforcement and showing our support for them. We saw what was referred to by the former Director of the FBI as the "Ferguson effect," where, in fact, he said it was his view that many police officers were afraid of being criticized

unjustly, so they withheld or were reticent in acting in the face of a criminal activity.

We need to make sure that our law enforcement personnel know we are firmly behind them and we will always support them. As Chief Brown liked to point out, if somebody has crossed a line they should not cross, that is an appropriate subject for disciplinary action on a police force.

There is never any excuse for assaulting a police officer. That is the thin blue line between us and anarchy in our society.

I thank the Senator from Minnesota for working with me on the American Law Enforcement Heroes Act that the chairman of the Judiciary Committee just mentioned. This bill will help State and local law enforcement hire more veterans into their ranks. Obviously, that is relevant experience and training that can help our law enforcement departments across the country be better and take advantage of these great patriots who have now taken off one uniform to put on another.

We know there are places in the country where, despite the best efforts of law enforcement, danger is spiking violent crime rates in some parts of the country due to dangerous criminals like the MS-13 gang, a vicious gang from Central America that is wreaking havoc in parts of the country. We can't let our officers face these dangers without knowing we have their backs.

I am delighted to be here with our colleagues celebrating National Police Week and making it clear to the men and women in blue that we unequivocally support them and stand by them and need to let all of our country men and women know that these are true American heroes who deserve our respect and support every day, not just during Police Week.

I yield to our friend and our colleague from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I rise with my colleagues today in recognition of Police Week. I thank Senator BLUNT and Senator COONS for bringing us together, as well as Senator GRASSLEY and Senator CORNYN.

Law enforcement officers play a critical role in keeping our communities safe, and Police Week is all about honoring their dedication and sacrifice and, sadly for so many families, those officers who made the ultimate sacrifice. Our officers are on the frontlines of public safety, and while most people run away from crime scenes or run away from disaster, they run bravely toward it.

In my State, we were reminded all too well of the courageous dedication of law enforcement just this last year when Jason Falconer, an off-duty police officer at a shopping mall spending his free time on his own, encountered a horrific scene of a man unhinged who was stabbing people in the St. Cloud shopping mall. Falconer didn't even

pause. He made sure that he saved the people who were wounded; 10 were wounded that day. So many would have been killed if he had not intervened—an off-duty officer.

I think about Officer Shawn Schneider, who is no longer with us, in Lake City, MN. I met with his family several times. This was a brave officer, a popular officer in a small community. One night he was called to the scene of a domestic abuse case. A young woman, scared, had called. He showed up at the door, and a man unhinged opened the door and shot and killed that officer.

The story behind that officer and the people behind that officer are the ones who carry on his memory—his fellow officers, as we see this week during Police Week, his family, his widow, and their three children. I will never forget sitting in the pews of that church and hearing the story as those three little kids walked down the aisle. There were two young boys and a girl in a blue dress covered in stars. The story was that the last time the family had been in that church and the last time those children had been in that church was for the church nativity play, and their dad, Officer Schneider, was sitting there watching them with such pride. A few weeks later, there they were at his funeral.

Those are the people we remember during this important week. Our job as U.S. Senators is to treat them in the way that they treat their jobs. They go to work every day without fear or favor. That is what we have to do when we think about police officers.

There are issues, as Senator COONS mentioned, we need to work on—policies and the relationship between officers and our communities. We have to promote more community policing, more training, more recruiting. That is why I am very positive about these bills—the COPS bill I have with Senator MURKOWSKI, where we finally have bipartisan sponsorship for grants that have now helped to place approximately 129,000 police officers on the beat in more than 13,000 State, local, and Tribal law enforcement agencies.

In that community I mentioned, St. Cloud, are the recipients of some of the grants we are talking about. That is why Senator MURKOWSKI and I are taking on this issue, to make sure that this program continues to be funded and that, in fact, we reinforce the program.

The bill Senator CORNYN just mentioned that we are leading together to promote the hiring of veterans as law enforcement officers would encourage local police departments to hire and train veterans as cops while providing our veterans with the opportunity to continue to serve their communities.

Yes, we can do all we can to have the backs of our officers and to work with them and our communities, but what we are doing this week is something a little different. We honor them. We recognize their sacrifices, whether it is taking dangerous criminals off the

street, whether it is preventing extremist groups from recruiting people in our neighborhoods, whether it is fighting the opioid abuse epidemic, whether it is simply giving a kid a second chance—and they do those kinds of things all the time.

Law enforcement officers are doing some of the hardest and most important work out there. We owe our safety to them, and we thank them for their remarkable service.

Mr. COONS. Mr. President, in conclusion, I thank my colleagues, Senators KLOBUCHAR, GRASSLEY, CORNYN, and BLUNT, for joining us today in a colloquy on the floor. It is a small but important gesture of bipartisan support, sustained and long-lasting bipartisan support for the community of law enforcement that serves each of us and our communities every day.

I wish to yield to my friend Senator BLUNT for his closing remarks.

Mr. BLUNT. Mr. President, I thank Senator COONS.

The pieces of legislation to support officers and their families are wide ranging, even legislation to be voted out of the Judiciary Committee today. It was exactly 1 year ago today that President Obama signed the Fallen Heroes Flag Act into law. This is a bill that I introduced along with my colleague that provides that American flags be flown over the U.S. Capitol and given to the families of firefighters, law enforcement officers, and other first responders who lose their lives in the line of duty.

As Senator KLOBUCHAR so well pointed out, these are the people who run to danger when the rest of us are able to head the other way. We are grateful to them and grateful for them.

Mr. President, I think we will yield the floor with great appreciation for the law enforcement officers who are being recognized this week. There are still too many names that Senator GRASSLEY mentioned who will be added to the over 20,000 officers who have lost their lives in the line of duty since the country was founded.

The PRESIDING OFFICER. The majority leader.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the time from 2:15 p.m. until 5:15 p.m. today be equally divided in the usual form; and that at 5:15 p.m., all postcloture time be expired and the Senate vote on the Rosen nomination; that if the nomination is confirmed, the motion to reconsider be considered made and laid upon the table, and the President be immediately notified of the Senate's action, and the Senate resume consideration of the Brand nomination; further, that notwithstanding rule XXII, the cloture vote on the Brand nomination occur at 12 noon on Wednesday, May 17; and that if cloture is invoked, the time count as if it were invoked at 1 a.m. on Wednesday; finally, that if cloture is invoked on the Brand nomination, the cloture vote on the Branstad nomina-

tion occur following disposition of the Brand nomination; and that if cloture is not invoked on the Brand nomination, the cloture vote on the Branstad nomination occur immediately following the failed cloture vote.

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

The PRESIDING OFFICER (Mr. YOUNG). The Senator from New Mexico.

NATIONAL POLICE WEEK

Mr. UDALL. Mr. President, it is an honor to join my colleagues. I know Senator COONS and others have come together as a bipartisan group to talk about fallen police officers.

It is with my greatest respect and deepest sympathy that today I honor five fallen New Mexico heroes on the floor of the Senate. These five brave men were police officers who died in the line of duty. Police officers who sacrificed their lives in service to the people of their communities and our State.

Police Officer Jose Ismael Chavez was a member of the Hatch Police Department. While conducting a traffic stop in Hatch on August 12, 2016, one passenger exited and opened fire on Officer Chavez. Officer Chavez is survived by his wife and two children.

Secondly, Police Officer Clint E. Corvinus of Alamogordo was part of the Alamogordo Police Department and was shot while pursuing a suspected felon on foot in Alamogordo on September 2, 2016. Officer Corvinus is survived by his daughter.

Deputy Sheriff Ryan Sean Thomas of the Valencia County Sheriff's Department was responding to a call for service on December 6, 2016, when his patrol car left the roadway between Los Lunas and Belen, and overturned. He was ejected from his car. He is survived by his wife, daughter, and a baby boy after he died.

Sheriff Steven Lawrence Ackerman, of the Lea County Sheriff's Department, was killed in a single vehicle crash near Encino on January 17, 2017. Sheriff Ackerman had served with the Lea County Sheriff's Department for 14 years and previously with the Lea County Detention Center for 12 years. He is survived by his wife, daughter, son, and grandson.

Police Officer Houston James Largo, of the Navajo Tribal Police, was shot while responding to a domestic violence call near Prewitt, NM. He passed away the next day on March 12, 2017. He was only 27 years old.

There are no words to express the sadness or the gratitude we all feel toward these New Mexico officers and their families and toward all police officers who are killed in the line of duty. We honor them all this Police Week and by legislation we introduced last week in the Senate to extend flying the flag half-staff for the first responders. We will push to give first responders the respect they are owed by passing the Honoring Hometown Heroes Act.

Every day, tens of thousands of policemen and policewomen serve our

communities in myriad ways, from tracking down violent criminals to finding shelter for homeless persons. The police and their families deserve our respect, gratitude, and support every day.

I thank you, Officer Chavez, Officer Corvinus, Deputy Sheriff Thomas, Sheriff Ackerman, and Officer Largo, from the bottom of my heart and with sincere appreciation.

RUSSIA INVESTIGATION

Mr. President, the White House and President Trump face yet another crisis—perhaps the biggest in his chaotic term so far. According to the Washington Post and other outlets, President Trump disclosed highly classified information to the Russian Foreign Minister and Russian Ambassador to the United States in the Oval Office last week. This is utterly stunning.

Congress needs to find out exactly what happened, on a bipartisan basis, but we can tell already that President Trump's behavior in this incident is very dangerous. It is dangerous to our national security institutions, dangerous to the men and women overseas who are serving their country and risking their lives. Many other outlets have confirmed the Washington Post article, and they have cited several sources.

Assuming it is true, the President has endangered our relationship with a partner who gave our security agencies this information. That has ripple effects that will risk similar relationships with other countries. It also could put our sources at risk.

While his national security team denied the news reports this morning, the President was on Twitter contradicting them. He claims he has the right to tell the Russian Foreign Minister anything he wants. I can't think of any parallel in history for the President's dangerous lack of discretion or his dangerous misunderstanding of how to handle classified national security information.

As the chair of the Senate Foreign Relations Committee, Senator CORKER put it this way: The White House is in a "downward spiral," and he said it needs to get it "under control." Senator CORKER is a senior Republican. I know the Presiding Officer and I serve with him on the Foreign Relations Committee. He is a man I respect very much, and I hope the White House will listen to Chairman CORKER.

It is very strange that the President chose to meet with the Russian Ambassador at the center of the Trump campaign's contacts to Russia or to allow the Russian press with their electronic equipment into the meeting at the Oval Office, but let's put these strange and dangerous events in the context of the last several weeks and months.

America's intelligence agencies have concluded that Russia interfered in the U.S. election and that they favored the Trump campaign. Now the President is hosting senior Russian officials in the Oval Office and disclosing highly classified information—information that

puts future intelligence and maybe lives at risk.

The day after he fired the FBI Director, President Trump admitted on camera to NBC News that he did so in part because he is frustrated at the FBI's investigation into Russian interference and potential Trump campaign contacts. Congress must get to the bottom of this. Republicans and Democrats must come together for real oversight. Based on what I see now, President Trump's actions call into question his fitness for office and further underscore the imperative for independent investigations.

It is not an exaggeration to say our Nation faces a constitutional crisis. Our Constitution is based on rule of law. In the United States, no man or woman is above the law, not even the President of the United States. Our constitutional democracy is remarkable for many reasons. One is that Presidential action has threatened the fabric of our democracy only a few times in our history. President Nixon's Watergate scandal was one of them, and I believe we face another one today.

President Trump's firing of the FBI Director in the middle of an investigation into the campaign that put him in office and the President's bizarre behavior since should concern all Americans regardless of party. The only rational explanation is that he has something to hide, that he wants to disrupt the investigation into Russia's interference in our election. What possible reason could the President have for wanting to hinder this investigation? It should be his highest priority to ensure it never happens again. Instead he calls it "fake news."

Now, here is what we know. Early in the new administration, the White House Chief of Staff asked the FBI to publicly disavow reports that the FBI was investigating Trump campaign ties to Russia. This attempted political interference was wrong.

The White House next set its sight on House Intelligence Committee chair DEVIN NUNES, who was investigating Russian interference in the election. Representative NUNES made midnight runs to the White House to view documents that he said validated the President's claims that he was wiretapped.

While the information did not ultimately prove that, Representative NUNES still chose to go public with classified information before discussing it with his committee. This was circus-like behavior, which ultimately forced Representative NUNES to recuse himself from the committee's investigation. But it was also serious. It showed that the White House was willing to go to great lengths to interfere with the House investigation into the President.

Next, the President fired Acting Attorney General Sally Yates. At the time, he claimed it was for refusing to defend his Executive order barring Muslims from the country. In the end, her analysis was correct. The Federal

courts found the order to be unconstitutional. We now know that Ms. Yates was fired just days after notifying the White House that then-National Security Advisor Flynn had lied about his conversations with the Russian Ambassador.

She had told the White House that Flynn's own conduct "in and of itself was concerning." She warned that the President's chief advisor on matters of national security was susceptible to blackmail by Russia. It still took the President 18 days to fire Flynn. As Ms. Yates put it, "to state the obvious, you don't want your national security advisor compromised with the Russians."

Now, the President has fired FBI Director James Comey. It defies reason to believe that President Trump fired Mr. Comey because he was too hard on Secretary Clinton. We give the FBI Director a 10-year term so that he or she can do the job free from political interference and follow any investigation wherever it may lead, even into the Oval Office. A deluge of evidence has pointed to the conclusion that the President fired Director Comey for similar reasons as Sally Yates—because he was unhappy with the FBI probe of Russian election interference and possible ties to the Trump campaign.

It has been reported that Director Comey had sought additional resources for the investigation and was receiving daily briefings on the investigation days before he was fired. The U.S. attorney's office in Virginia had also issued grand jury subpoenas to persons with knowledge of Flynn's ties with Russia and Turkey. Well-sourced media reports say the President had become increasingly angry with Director Comey's public statements about the FBI's investigation of him and because Mr. Comey would not confirm the President's baseless claims that the President Obama administration wiretapped Trump Tower.

The President understood that Director Comey would not do his bidding and so he fired him. Still, the White House has flatly lied about the circumstances of Mr. Comey's dismissal. Numerous White House officials, including the Vice President himself, said the decision was at the recommendation of Deputy Attorney General Rod Rosenstein. They have said this publicly on the record and on camera.

But President Trump himself contradicted them. He said again on camera that he had already decided to fire Director Comey before receiving the Deputy Attorney General's recommendation. He made clear that he was frustrated with the continuing counterintelligence probe into Russia's election influence. He was upset with Mr. Comey's testimony before Congress.

The White House also claimed that Director Comey had lost confidence at the FBI. But in a public hearing last week, my colleague and Senator from New Mexico, Mr. HEINRICH, asked the

FBI's Acting Director if that was true, and the Acting Director strongly denied it. It has been well reported that the Deputy Attorney General threatened to resign based on the White House claims that Mr. Rosenstein advocated for firing Director Comey.

It seems clear that he was told to draft the cover story for the real reason. His memo was short and is dated the same day as the firing.

Now, on what may be the worst development so far, the President of the United States is threatening on Twitter to release "tapes" of Mr. Comey. He is implying, not confirming, that he has tapes of their conversations and that he will release them if Mr. Comey talks to the press and the public.

Mr. Comey knows he is well within his rights to speak publicly as long as he does not reveal classified information. The President's comment is another example of interference. A sitting President is seeking to pressure a fired FBI Director against speaking out publicly, a man who is likely to be a witness before Congress.

Mr. Comey reportedly would like to testify in an open hearing. Apparently, he doesn't have anything to hide. We need to hear his testimony as soon as possible. Let's find out if President Trump demanded the FBI Director's loyalty. If the President does have tapes of their conversations, he should release them, or we need to subpoena them. But let's get to the bottom of this.

At this point, there is more than probable cause to believe that the President is attempting to obstruct the FBI and congressional investigations. President Trump seems to put himself above the law. Firing the FBI Director and the Acting Attorney General and interfering with a congressional investigation are actions of an autocrat. As a former assistant U.S. attorney and attorney general for New Mexico, I have some experience with investigations. When someone interferes with ongoing investigations, it seems clear that they have something to hide. That is not the behavior of an innocent person.

Make no mistake, Russia's interference in our democratic process is an attack upon our Nation. If the President or his associates colluded in any way with Russia in this attack, it would represent the most serious betrayal of our Nation by a President. While there are rarely exact parallels in history, the parallel between Nixon's Saturday Night Massacre and President Trump's Tuesday Night Massacre is hard to ignore.

Nixon's firing of the man heading the investigation into his actions led to his impeachment and resignation. Recall that the first article of impeachment was obstruction of justice. At that point in our history, both Congress and the Supreme Court stood resolute that the President was not above the law. Congress must again stand resolute that the President is not above the

law. It is well past time for Congress to appoint an independent commission like the 9/11 commission.

It must investigate every aspect of Russia's interference with our election and recommend steps to ensure it never happens again. It must investigate whether Candidate Trump or his associates colluded with Russia to interfere with our Presidential election. Congress must do so swiftly and must give the commission sufficient resources to do the job.

The Attorney General is compromised. He has recused himself from any investigation into the Trump campaign. But I believe he violated the terms of his recusal when he weighed in on Director Comey's termination. Several of us will be sending a letter this week to the Justice Department inspector general asking him to investigate this specific issue.

Now the President is about to nominate a new FBI Director, presumably one he believes will be less independent than Director Comey, one who will not pursue the Russia investigation if it points to his campaign.

Given these circumstances, Deputy Attorney General Rosenstein must appoint a special counsel to conduct a counterintelligence investigation into Russia's role in our election and, if necessary, a criminal investigation into the conduct of the Trump campaign and the administration. A special counsel must be appointed before we consider a new nominee for FBI Director.

That nominee needs to be closely scrutinized by the Senate. We need a Director who is nonpartisan and has a law enforcement background. This person will be responsible for restoring Americans' confidence in the FBI and ensuring that he or she does not pledge loyalty to the President but pledges loyalty to the Constitution.

The majority in Congress must listen to the American public, must follow the lessons of history, and must protect the rule of law and our Constitution.

In the United States, no person is above the law, not even—and especially—the President of the United States. In my career in Congress, I have always believed you put the country first. Party comes last. In their hearts, I know my Republican friends and colleagues feel the same. Congress and the Senate need to fulfill the roles the Founding Fathers envisioned: When the executive branch is moving outside the bounds of the rule of law, we must rein it in.

It is well past time for action.

RECESS

Mr. UDALL. Mr. President, I ask unanimous consent that the Senate recess until 2:15 p.m. today.

There being no objection, the Senate, at 12:27 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. Under the previous order, the time until 5:15 p.m. will be equally divided in the usual form.

The Senator from Utah.

NATIONAL POLICE WEEK

Mr. HATCH. Mr. President, peace and order are the indispensable pillars of a stable society. They grant us security in our daily lives, trust in our communities, and faith in our democratic institutions. Where peace and order reign, so too does society thrive and prosper, but none of that is possible without our Nation's 700,000 men and women in blue.

Each and every day, these brave sons and daughters—brave souls—stand up for all of us. Each and every day, they stand guard, ready to do justice or risk harm—all on our behalf. So today I rise on behalf of a grateful Nation to recognize them. Their performance is exceptional, and their sacrifice is immense.

Far too often, we take our police officers for granted. Far too often, we forget how hard it is to win and how easy it is to lose the peace and order that we all enjoy, but our police officers never forget. They are always at the ready. As we honor them this week, we remember that the question is not "What causes violence or what causes crime?" but rather, "What causes peace, and what causes security?"

The answer is our men and women in blue.

In celebration of our National Police Week, I wish to express my profound appreciation for our Nation's law enforcement community—the courageous men and women who each day put the safety of others before their own. Their success is impossible to fully measure. It cannot be counted in crime statistics or etched into medals. It can only be seen in the peace and order that their sacrifice makes possible.

Therefore, allow me for a moment to speak directly to our police officers.

Trust that your selflessness does not go unseen, that your service does not go unfelt, and that your sacrifice does not go unknown. We appreciate you, we support you, and we honor you. Law enforcement is among the noblest of professions. You are the brave guardians among us who fight for peace and protect the vulnerable from harm. On behalf of a grateful nation, I wish to thank you and your families for bearing the burden, shouldering the sacrifice, and making us all proud.

Let it be known that I proudly back the blue.

This is a critical moment to show the police our support. We live in a time when law enforcement officials are not only underappreciated but often maligned and, quite often, openly disparaged. Day in and day out, they suffer criticism and pressure. This week we let them know of our respect and admiration.

Today, I wish to express my gratitude for our men and women in uni-

form by sharing stories of their heroism. You see, we hear all about police mistakes, and we hear wall-to-wall coverage of the controversies, but we seldom hear about the acts of bravery and professionalism that distinguish our police officers as the finest in the world. In particular, I would like to relate the account of Utahns Bre and Kayli Lasley, two sisters whose lives were saved by an on-duty police officer.

In September 2015, a man armed with a knife climbed through a bedroom window in Bre and Kayli's Salt Lake City apartment. Once inside, he brutally beat both sisters before pulling out a knife and repeatedly stabbing Bre. Just as the attacker raised his knife to Bre's throat, Salt Lake City police officer Ben Hone charged into the room. He told the intruder to drop his knife.

In that critical moment, with lives literally hanging in the balance, Bre remembers:

That's when I saw the officer, and he was our angel . . . I looked at the officer in his eyes, and he was so professional and calm.

When the attacker refused to surrender his weapon, Officer Hone raised his service pistol and fired, killing the armed intruder and saving Bre's life. In that moment, Officer Hone was truly Bre's guardian angel.

She remembers:

When [we] made eye contact, I knew I was safe. It's a miracle that he had so much composure and was able to take that shot.

In recognition of his heroism, Officer Ben Hone was honored by the National Associations of Chiefs of Police and the American Police Hall of Fame as the 2015 Law Enforcement Officer of the Year. I think it was an honor richly deserved.

Officer Hone survived that day. For that, we give thanks, but the sad reality is that many lose their lives in the line of duty. So today I wish to honor those men and women who have made the ultimate sacrifice and paid the highest price that society can ask. Our debt to them will not—indeed, cannot—be repaid.

Among the fallen is Utah Highway Patrol Trooper Eric Ellsworth, who died only a few days after being struck by a car while on duty in Box Elder County. We also mourn the passing of West Valley City police officer Cody Brotherson and Greater Salt Lake Unified Police Department officer Douglas Barney, who were both killed in the line of duty this past year in Utah.

I express my deepest condolences to the families and friends of these brave heroes and the countless others who have experienced similar tragedies.

Although we cannot bring these officers back, we can honor their legacies by committing ourselves to supporting their brothers and sisters in uniform. To that end, I have introduced and co-sponsored a number of bills this Congress that are meant to assist law enforcement as they serve our communities. These bills include the Rapid

DNA Act, the Probation Officer Protection Act, and the Child Protection Improvements Act. Just yesterday, I joined Senator COONS in introducing the U.S. Marshals Service Hiring Improvement Act, which was named in honor of U.S. Marshals Service deputy Patrick T. Carothers, who was a 26-year veteran of the U.S. Marshals Service who died in the line of duty in Georgia in November 2016.

Last week, I was grateful to see the Senate Judiciary Committee favorably report my bipartisan bill—the Rapid DNA Act of 2017. This critical legislation, which has garnered support from the National Association of Police Organizations, the Fraternal Order of Police, and the National District Attorneys Association, updates the law and leverages advancements in rapid DNA technology to expedite analysis in the FBI's Combined DNA Index System. If enacted, this commonsense proposal will enable law enforcement to analyze DNA in record time, reducing backlogs in rape kits and keeping violent criminals off of our streets. By facilitating the use of rapid DNA technology, this bill will also help to exonerate those wrongly accused of crime.

The Rapid DNA Act has received strong support from U.S. Attorney General Sessions. During his confirmation hearing, Attorney General Sessions said:

Rapid DNA analysis is a hugely important issue for the whole American criminal justice system. It presents tremendous opportunities to solve crimes in an effective way and produce justice because it's the kind of thing that you can't fake or mislead, so I am very strongly in favor of it."

In remarks before the Senate Judiciary Committee, former FBI Director James Comey said that the Rapid DNA Act "will help us change the world in a very exciting way," and it "will materially advance the safety of the people of the United States."

Each time I talk to a police officer, I always hear nearly the same thing. They have no need for fanfare or fame. All they need is the public's support and the tools necessary to do the job. In commemoration of National Police Week, let's make sure to give them both. I encourage my colleagues to join me in passing these bills and in showing our heroes in blue the gratitude and admiration they deserve.

TRIBUTE TO LIEUTENANT GENERAL
CHRISTOPHER C. BOGDAN

Mr. President, in addition to honoring our men and women who wear the police uniform, I wish to pay tribute to a seasoned leader who wears the military uniform—Lt. Gen. Christopher C. Bogdan. General Bogdan is the program executive officer of the F-35 Lightning II Joint Program Office. He is really a respected airman, a true patriot, and a dear friend.

Nearly singlehandedly, he salvaged the F-35 program from ruin, providing much needed leadership at a critical time in the development of this important weapons system. He will be retir-

ing this June after more than three decades of dedicated and decorated service in the U.S. Air Force. On behalf of a grateful nation, I wish to thank General Bogdan for his leadership, service, and his sacrifice.

General Bogdan is an exceptional leader and a man of unwavering character and integrity. Several years ago, the general was given the daunting task of saving the F-35 program from the clutches of "scandal and tragedy," as Senator MCCAIN once so accurately described. During his tenure, General Bogdan overcame seemingly insurmountable obstacles to right the ship at the F-35 program office. Along the way, he demanded the highest performance from his own staff and industry partners to establish a corrective path forward.

I first met General Bogdan in October 2013, when I made a special visit to the F-35 program office in Arlington, VA. General Bogdan warmly greeted me before introducing me to all eight of the national deputies from the program's partner nations. I was so impressed to see all of them in uniform—these great heroes from all of these other nations that are dependent upon the United States and our F-35 program. The general spoke briefly about how important this weapons system was not only to our own national security but also to the collective defense of the program's partner nations—the United Kingdom, the Netherlands, Italy, Turkey, Canada, Australia, Norway, and Denmark, and, in the case of military sales, Israel and Japan. At that moment, I realized just how vital this cutting-edge platform was to the cause of freedom around the globe.

We then adjourned to General Bogdan's office, where he asked for my help in three areas that would be critical to bringing the F-35 to full operational capability: activating depot workloads, expanding the Utah Test and Training Range, and building infrastructure for the sustainment of F-35 software—one of the most complicated and the most highly scientifically run airplane in the world.

That day, I made a commitment to help General Bogdan. Years later, I am pleased to say that, in working together, we were successful in achieving all three objectives. In last year's National Defense Authorization Act, I offered an amendment to expand the Utah Test and Training Range by 40 percent, which is an increase of more than 1,000 square miles. With a little help from Congress, the depot activations at Hill Air Force Base progressed quickly, enabling the Air Force to station its first operational F-35 squadron at the base last August. In working alongside State leaders, I was also able to generate support for the construction of a software facility that will help sustain the F-35 for years to come.

Without General Bogdan's vision and strategic direction, none of these accomplishments would have been possible. It really is important. Utah is

the only place over land where you had a big enough area where you could fly this immensely important F-35 and do the training that needed to be done—with live ordnance by the way.

A year after we met, General Bogdan cleared his schedule so he could accompany me on a visit to the F-35 production line in Fort Worth, TX. There, I witnessed the current production run of over 100 F-35s progressing through the assembly line—truly a sight to behold. As planes moved out of the assembly line, General Bogdan explained critical challenges at each stopping point. I wondered how one man could be so intimately involved in every minute detail of the plane's production, yet still have the capacity to lead at the highest levels. In that moment, I knew General Bogdan was the right man to be in the largest acquisition program the world has ever seen.

When General Bogdan first took the helm of the F-35 Joint Program Office, he walked into a hostile environment, knowing full well he would face constant scrutiny and tremendous political pressure from all sides. He knew he would have to answer for every decision he would make, but General Bogdan was more than up to the task. In his leadership of the F-35 Joint Program Office, General Bogdan embodied three core values of the U.S. Air Force: integrity first, service before self, and excellence in all they do.

Both in the Air Force and in his private life, General Bogdan is a model of commitment and sacrifice. As great as his service to our Nation, the Air Force, and the F-35 program has been, it pales in comparison to the dedication he has shown his lovely wife April and their two children, Amanda and Adam.

Our Nation is safer today thanks to General Bogdan's 34 years of distinguished military service. I would like to congratulate my friend on the Senate floor on a stellar Air Force career. I consider myself lucky to know General Bogdan and even luckier to call him a friend. I wish him and April the very best as they begin the next chapter of their lives.

This is a man for whom I have the utmost respect. I lost my brother in the Second World War. He was a flier on a B-24 in one of the Palestine oil raids. I have to say that General Bogdan reminds me of my brother and a lot of heroes I have met who have served this country so well. He is at the top of the list. I just think the world of him, I think the world of his family, and I wish him the absolute best.

I thank the Chair.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

NATIONAL POLICE WEEK

Ms. HEITKAMP. Mr. President, I come to the floor this afternoon to honor the incredible men and women of our Nation's law enforcement agencies. Each year, peace officers from all over the country and from countries all over

the world come to Washington, DC, to celebrate and remember the lives of their colleagues whom they have lost in the line of duty.

The men and women who serve as peace officers in our Tribal, Federal, State, and local law enforcement agencies selflessly put their lives before the lives of those whom they have taken an oath to protect and serve. I am here to not only remember those peace officers we have lost but to thank each and every officer who puts on a uniform and a badge every day to protect our citizens and our communities.

As a former attorney general of North Dakota, I have always had a special relationship and appreciation for law enforcement. Serving as the top law enforcement officer in my State will always be one of the most meaningful moments in my professional career. When I began serving as attorney general, law enforcement wasn't one of the goals I had. So I told my head of the Bureau of Criminal Investigation, a brilliant leader by the name of Bill Broer, that he could just deal with the law enforcement portion of the job, and I would take responsibility for the rest of the job.

Bill was going to have none of that, and consistently invited me along as he visited peace officers from all over the State, as we went to intel meetings, and as we talked about the challenges of equipping and staffing our law enforcement agencies. I can tell my colleagues that after 8 years of being North Dakota's attorney general, that portion of the job was the job I miss and love the most because I worked with the finest collection of peace officers in the country, and I could not be more proud to continue that work and work alongside of them as their U.S. Senator.

I am here to thank each and every one of the peace officers who selflessly serve in communities throughout North Dakota and to let you know I don't just appreciate the work you do and the sacrifices you and your family make each and every day, but I also have your back, 24/7, 365 days a year.

I also come to the floor with a heavy heart, as I have had to come to the floor twice already in less than a year, to honor North Dakota peace officers who have lost their lives in the line of duty.

We lost Officer Jason Moszer of the Fargo Police Department on February 11, 2016. Less than a year later, we lost Rolette County Deputy Colt Allery on January 18, 2017. I say "we" because the loss of these fine, young peace officers was felt across the entire State of North Dakota, and it still impacts their families, their departments, and our communities to this day.

Both of these young men made the ultimate sacrifice in service to their State and their communities, each succumbing to gunshot wounds inflicted by individuals who were prepared to inflict even more damage and take more lives. The brave actions of these two

peace officers prevented that from happening.

Officer Jason Moszer's name was etched into the Peace Officer Memorial here in Washington, DC, this week, and his name was read out loud during a ceremony this past weekend honoring all the officers who died in the line of duty last year and whose names have been added to the wall.

Officer Moszer's name will now serve as an example not just to North Dakotans but to people from all over this country and all around the world who visit the memorial each year. He will serve as an example of the best our State and country has to offer, an example of what it truly means to have lived and died so others may be safe; quite simply, an example for everyone of what it means to be a hero.

We must also remember the families of our peace officers that sacrifice so much, not knowing if their loved ones will return each time they walk out the door. I want to recognize Officer Moszer's family, his wife Rachel, his children Dillan and Jolee, his brother Brian, his sister Michelle, and especially his parents Dave and Karen, who care so much and have sacrificed so much and today suffer that loss with their community, but, more importantly, in private. So I know what Jason meant to you. I know what he means to you. He now belongs to the entire State of North Dakota. We will never forget his name or his sacrifice.

To the men and women of the Fargo Police Department, led by a great guy, Chief David Todd, I commend all of you for your courage and strength, for standing alongside the Moszers every step of the way. Jason's loss was your loss too. I stand in awe and appreciation of the job you do each and every day, and I thank you.

Next year, unfortunately, I will be coming to the floor again to honor Deputy Allery, as his name will be engraved on the memorial wall. My heart breaks about having to do this again, but I also consider it an incredible privilege to honor the very best of what we as a State and country have to offer.

To all of our peace officers, especially those back home in North Dakota, I thank you from the bottom of my heart for your sacrifice to the people of Fargo and the State of North Dakota.

I also want to mention that we walk by peace officers every day—peace officers who have the responsibility of protecting the most iconic image of American democracy; that is, the U.S. Capitol and the buildings we serve in. They stand ready to take anything that walks through that door. Let me tell you, anyone who thinks that is an easy job—trying to anticipate, trying to pay attention, and trying to know how to treat our citizens with the utmost respect but also recognizing that every one of those people coming through the door at any of these gates, any of these doors, could be intent on doing damage

to this institution and causing death among the people we work with every day—it is an awesome responsibility and I think a responsibility that too often goes unattended and unrecognized and unappreciated.

I want to stand today and give a shout-out not only to the great peace officers of my State but the great peace officers who serve with us every day. Whether they are in border patrol and protection, whether they are in Customs and Border Protection, whether they are police officers at the parks, whether they are police officers serving all across these Federal agencies, whether it be ICE or the FBI, we should be proud of the work that they do. We should be standing with them in the work they do because their job is as important as our job, and that is to protect our country and protect our people.

So I want to say it is not enough to just stand here and recognize the heroes. If we really want to appreciate peace officers and peace officer week, and if we want to really honor peace officers, every day is a day that we say thank you. Every day we pass a uniform of a peace officer who is protecting us, we say thank you. We recognize their service, we recognize their sacrifice, and we recognize that all too often they are the only people who stand between us and chaos, who stand on that line and protect our country and protect our children and protect our citizens.

May God bless all of our peace officers and may God bless the United States of America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. HELLER. Mr. President, I, too, stand in honor of National Police Week. I want to thank my two previous colleagues from Utah and North Dakota for their heartfelt tributes to the men and women in blue and the hard work they do in protecting us every day.

National Police Week was established in Congress in 1962. National Police Week is an opportunity to pay tribute to law enforcement officers who have lost their lives in the line of duty. It is also an opportunity to recognize and thank the members of our law enforcement community in Nevada and throughout the country.

Each day our law enforcement officers put themselves at risk to protect our families and to protect our communities. Their courage, selflessness, and commitment to serve is a reflection of what makes this country so great; that is, their willingness to answer the call—without being asked—to put the welfare of others over themselves.

This commitment doesn't come without tremendous sacrifice. I was reminded of that earlier this month at the 30th annual James D. Hoff Peace Officer Memorial in Reno.

The James Hoff Peace Officer Memorial is a tribute to Nevada law enforcement officers killed in the line of duty.

The memorial also recognizes officers who were placed in danger and survived. Named after Reno Police Officer James Hoff, who was killed in 1979 by the suspects he was investigating, the memorial hosts an annual ceremony attended by State and local officials and members of the law enforcement community. It is always a privilege to attend this annual event honoring the heroism of fellow Nevadans whose names and legacies are enshrined in this memorial.

At this year's ceremony, we honored and celebrated the life of Detective Chad Parque, who served with the North Las Vegas Police Department for 10 years. At just 32 years old, Detective Parque tragically lost his life after his department vehicle was struck head-on by another vehicle earlier this year. Detective Parque is survived by his wife, children, and siblings, and mourned by all of those who had the privilege to know him.

In describing Detective Parque, a fellow law enforcement officer said:

He was a ten-year officer and you could see the fire in his eyes as if he had just signed on. He loved his community.

He served with passion and dignity. He will never be forgotten for the many contributions to North Las Vegas and to our great State.

His plaque is now alongside other members of Nevada's law enforcement community who were enshrined on this memorial from past years and whose stories continue to inspire all of us.

In 2016, at least 144 law enforcement officers across this country lost their lives in the line of duty, a sharp increase from the previous year.

Let's not forget that behind the names—the many names—of those who have fallen are the people, spouses, children, and parents who may not have had a chance to say good-bye. Most of us will never know their pain, but we are deeply appreciative of their unwavering support for their community. While there is nothing we can do to bring back those who died in the line of duty, I am committed to doing everything I can at the Federal level to try to prevent it from happening to one more officer and one more family.

I am proud to support the Back the Blue Act, legislation that increases penalties for killing law enforcement officials. The bill ensures that anyone who purposely targets law enforcement should, and would, face justice for that crime.

The Nevada law enforcement community has my full support this Police Week—and every week and every day, each year they are on the job.

To all our law enforcement officials, we are all indebted to you and your families for all your sacrifices, and I am personally and sincerely grateful for your dedication to the people of Nevada.

To our protectors, our peacekeepers, and those who are first to answer the call for help and who run toward, not away, from danger, we thank you, and we honor you.

I yield the floor.

Mr. VAN HOLLEN. Mr. President, I oppose Jeffrey Rosen's nomination to be Deputy Secretary of the Department of Transportation. Mr. Rosen has a troubling history of standing with industry over consumers and opposing common sense public health and environmental protections.

In both his time as general counsel at the Department of Transportation in the George W. Bush administration and his private sector work on behalf of industry, Mr. Rosen advocated for limits on the agency's authority to protect health and safety through the regulatory process. In one case when he was at the Department of Transportation, the National Highway Transportation Safety Agency proposed a weak standard for the required strength of vehicle roofs, which could collapse in rollovers. In addition to the weak standard, the rule would make it difficult for consumers who had been in accidents to seek damages from the companies responsible.

Mr. Rosen has also repeatedly questioned the necessity of limiting carbon emissions from vehicles. He opposed efforts to improve fuel economy standards that have spurred innovation, cut pollution, and saved consumers at the pump.

Mr. Rosen's ideological approach to regulation appears bent on minimizing rulemaking at any costs, regardless of the need. He has advocated for one-in, one-out regulatory schemes and "regulatory budgeting" that place arbitrary limits that would interfere with the ability of agencies to implement the law.

Agency leadership must focus on their mission and use the best available science and data to guide implementation of the law. Based on Mr. Rosen's history, I am concerned that he may politicize rulemaking, so I must oppose his nomination today.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

USER FEES

Mr. ALEXANDER. Mr. President, last year seems like a long time ago, but just 5 months ago, 94 Members of this body voted for a bill called the 21st Century Cures Act. Senate Majority Leader MITCH MCCONNELL called it the most important legislation of the year. The Presiding Officer, the Senator from Ohio, had a major role in that legislation, especially the part having to do with opioids. This was legislation to spur research and development of cures, devices, and treatments for some of the most deadly and some of the most stubborn illnesses and diseases.

Dr. Frances Collins, head of the National Institutes of Health—which he

calls the "National Institutes of Hope"—last year offered what he called bold predictions about major advances that we could expect over the next decade with a sustained commitment to medical research. One prediction of Dr. Collins is that science will find ways to identify Alzheimer's before symptoms appear, as well as how to slow down or even prevent the disease. Another is that doctors could use the patient's own stem cells to rebuild his or her heart. An artificial pancreas will help diabetes patients by tracking blood glucose levels and by creating precise doses of insulin. He also predicts a Zika vaccine, a universal flu vaccine, and an HIV/AIDS vaccine in the next 10 years. To relieve suffering and deal with the epidemic of opioid addiction, Dr. Collins predicts new, nonaddictive pain treatments to manage pain.

The 21st Centuries Cures Act became a law last year and authorized 4.8 billion new dollars for medical research, on top of the support Congress already provides through the annual appropriations process. Because of bipartisan support, that was an extra \$2 billion last year and an extra \$2 billion this year. The way we add up money around here, over 10 years, that is \$20 billion over 10 years last year and another \$20 billion this year, which includes the \$4.8 billion authorized in the 21st Century Cures legislation, all for medical research.

The next step in our efforts to turn Dr. Collins' predictions into a reality and to help America's patients benefit from all the research we are helping support is to fund the Food and Drug Administration. The FDA, as we call it, is the agency responsible for making good on the promise of the 21st Centuries Cures Act to actually reach America's patients.

Before September 30 of this year, four different FDA user fee agreements need to be reauthorized. They need to be acted on by the Senate, by the House, and sent to the President of the United States. These user fees are paid by manufacturers of drugs and medical devices and account for \$8 billion to \$9 billion over 5 years and over a quarter of all FDA funding.

Last week, 21 of the 23 members of the Senate HELP Committee voted to send to the Senate floor a bill reauthorizing those four user fee agreements based on recommendations from industry and from the FDA after a thorough and lengthy public process.

The FDA Reauthorization Act, sponsored by me and by Senator MURRAY, the distinguished Senator from Washington who is the ranking Democrat on our Senate HELP Committee, reauthorizes the four user fee agreements that expire at the end of September. The four agreements are, No. 1, the prescription drug user fee, which accounted for 70 percent of the brand drug review budget last year; No. 2, medical device user fee amendments, which accounted for 36 percent of the medical device review budget in fiscal

year 2016; the generic drug user fee amendments, which accounted for over 75 percent of the generic drug review budget in fiscal year 2016; and the biosimilar user fee amendments, which accounted for 29 percent of the biosimilar review budget in fiscal year 2016.

So here is my message to colleagues: The U.S. Senate has the opportunity to provide Americans with a prompt, bipartisan reauthorization of the Food and Drug Administration user fee agreements and, in doing so, take the next crucial step in helping Americans see the benefits of the results of our 21st Century Cures Act passed last year. If we do not move quickly to pass these agreements in late July, the FDA will be forced to send layoff notices to more than 5,000 FDA employees to notify them that they may lose their job in 60 days.

As I said, these reauthorizations are based on recommendations both from industry and from the Food and Drug Administration after a thorough public process. The FDA posted meeting minutes after every negotiation and held public meetings before discussions began and to hear feedback on the draft recommendations last fall.

Patients were also involved in developing commitment letters. We have received support from patient groups asking us to authorize the agreements expeditiously.

In Congress, over the last 15 months, the Senate HELP Committee, of which I am chairman and Senator MURRAY is the ranking Democrat, had 15 bipartisan briefings, some of which were with the Energy and Commerce Committee of the House of Representatives, and heard, as well, from the FDA and industry about the reauthorization.

Our HELP Committee held two bipartisan hearings earlier this year on the Food and Drug Administration medical device and drug user fees and released a discussion draft of our legislation on April 14, which provided 2 weeks for public comment.

I go into all this because I want everyone to see how thoroughly this has been discussed and how important it is.

The committee then worked in a bipartisan way to incorporate comments from the public and from members of the committee.

The manager's amendment—which we approved in the committee last week, as I said, by a vote of 21 to 2—includes many priorities that are broadly bipartisan. Here are a few examples: legislation from Senators ISAKSON and BENNETT to improve the medical device inspection process; a provision from Senator HASSAN, Democrat, and Senator YOUNG, Republican, to improve communication about abuse-deterrent opioid products; from Senators FRANKEN, Democrat, and Senator ENZI, Republican, a provision to encourage medical device development for children and make sure FDA has the appropriate expertise to review devices for children; from Senator BALDWIN, a provision to make sure the full experi-

ence of clinical trial participants is studied; from Senator BURR and Senator YOUNG, additional reporting to make sure that the FDA is meeting their goals and that we can do proper oversight of the new agreements. It includes legislation by Senators CASEY, FRANKEN, and WARREN on a pilot project on studying medical devices after approval to make sure they work as intended. A provision from Senator CASSIDY requiring additional guidance for complex generics, like EpiPens, so manufacturers know what they have to do to make a generic version, was also included. A provision to make new hearing aid technology available came from Senators WARREN and ISAKSON, as well as a provision from Senators ROBERTS, DONNELLY, and BURR to allow more appropriate classification of accessories used with medical devices.

In the committee markup last week, we unanimously adopted these bipartisan amendments, which follow: an amendment from Senator COLLINS, which reflected legislation from Senators COLLINS, FRANKEN, MCCASKILL, and COTTON on improving generic drug development and helping to lower prescription drug costs; an amendment from Senators HATCH, BURR, and CASEY to improve patient access to clinical trials.

A delay in reauthorizing these agreements would delay the review of drugs and devices submitted after last April 1—more than a month ago. If we don't pass these reauthorizations into law on time, which means by the end of July, an FDA reviewer who gets started reviewing a cancer drug submitted to the agency in April would be laid off on October 1, before the reviewer is able to finish his or her work. In addition to harming patients and harming families who rely on medical innovation, a delay in the reauthorization would threaten America's global leadership in biomedical innovation.

After reviewing the recommendations from industry and from the FDA, I am convinced these are good agreements for patients. The sooner we pass this legislation, the better, to give certainty to patients, doctors, FDA reviewers, and companies.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

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

The assistant bill clerk proceeded to call the roll.

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

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

PUBLIC SAFETY OFFICERS' BENEFITS IMPROVEMENT ACT OF 2017

Mr. ALEXANDER. Mr. President, as in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 10, S. 419.

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

The senior assistant legislative clerk read as follows:

A bill (S. 419) to require adequate reporting on the Public Safety Officers' Benefits program, and for other purposes.

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

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Grassley substitute amendment at the desk be considered and agreed to; the bill, as amended, be considered read a third time and passed; and the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 216) in the nature of a substitute was agreed to.

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

The bill (S. 419), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

RAPID DNA ACT OF 2017

Mr. ALEXANDER. Mr. President, as in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 74, S. 139.

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

The senior assistant legislative clerk read as follows:

A bill (S. 139) to implement the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, to solve and prevent violent crimes and other crimes, to exonerate the innocent, to prevent DNA analysis backlogs, and for other purposes.

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

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

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

The bill (S. 139) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 139

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Rapid DNA Act of 2017".

SEC. 2. RAPID DNA INSTRUMENTS.

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

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

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

(b) INDEX.—Paragraph (2) of section 210304(b) of the DNA Identification Act of

1994 (42 U.S.C. 14132(b)(2)) is amended to read as follows:

“(2) prepared by—
“(A) laboratories that—
“(i) have been accredited by a nonprofit professional association of persons actively involved in forensic science that is nationally recognized within the forensic science community; and
“(ii) undergo external audits, not less than once every 2 years, that demonstrate compliance with standards established by the Director of the Federal Bureau of Investigation; or
“(B) criminal justice agencies using Rapid DNA instruments approved by the Director of the Federal Bureau of Investigation in compliance with the standards and procedures issued by the Director under section 210303(a)(5); and”.

“(i) have been accredited by a nonprofit professional association of persons actively involved in forensic science that is nationally recognized within the forensic science community; and
“(ii) undergo external audits, not less than once every 2 years, that demonstrate compliance with standards established by the Director of the Federal Bureau of Investigation; or
“(B) criminal justice agencies using Rapid DNA instruments approved by the Director of the Federal Bureau of Investigation in compliance with the standards and procedures issued by the Director under section 210303(a)(5); and”.

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

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

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

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

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

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

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

AMERICAN LAW ENFORCEMENT HEROES ACT OF 2017

Mr. ALEXANDER. Mr. President, as in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 75, S. 583.

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

The senior assistant legislative clerk read as follows:

A bill (S. 583) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize COPS grantees to use grant funds to hire veterans as career law enforcement officers, and for other purposes.

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

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

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

The bill (S. 583) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:
S. 583

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 “American Law Enforcement Heroes Act of 2017”.

SEC. 2. PRIORITIZING HIRING AND TRAINING OF VETERANS.

Section 1701(b)(2) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd(b)(2)) is amended by inserting “, including by prioritizing the hiring and training of veterans (as defined in section 101 of title 38, United States Code)” after “Nation”.

LAW ENFORCEMENT MENTAL HEALTH AND WELLNESS ACT OF 2017

Mr. ALEXANDER. Mr. President, as in legislative session, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 867 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 867) to provide support for law enforcement agency efforts to protect the mental health and well-being of law enforcement officers, and for other purposes.

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

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

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

The bill (S. 867) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:
S. 867

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 “Law Enforcement Mental Health and Wellness Act of 2017”.

SEC. 2. SUPPORT FOR LAW ENFORCEMENT AGENCIES.

(a) INTERAGENCY COLLABORATION.—The Attorney General shall consult with the Secretary of Defense and the Secretary of Veterans Affairs to submit to Congress a report, which shall be made publicly available, on Department of Defense and Department of Veterans Affairs mental health practices and services that could be adopted by Federal, State, local, or tribal law enforcement agencies.

(b) CASE STUDIES.—The Director of the Office of Community Oriented Policing Services shall submit to Congress a report—

(1) that is similar to the report entitled “Health, Safety, and Wellness Program Case Studies in Law Enforcement” published by the Office of Community Oriented Policing Services in 2015; and

(2) that focuses on case studies of programs designed primarily to address officer psychological health and well-being.

(c) PEER MENTORING PILOT PROGRAM.—Section 1701(b) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd(b)) is amended—

(1) in paragraph (21), by striking “; and” and inserting a semicolon;

(2) in paragraph (22), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(23) to establish peer mentoring mental health and wellness pilot programs within State, tribal, and local law enforcement agencies.”.

SEC. 3. SUPPORT FOR MENTAL HEALTH PROVIDERS.

The Attorney General, in coordination with the Secretary of Health and Human Services, shall develop resources to educate mental health providers about the culture of Federal, State, tribal, and local law enforcement agencies and evidence-based therapies for mental health issues common to Federal, State, local, and tribal law enforcement officers.

SEC. 4. SUPPORT FOR OFFICERS.

The Attorney General shall—

(1) in consultation with Federal, State, local, and tribal law enforcement agencies—

(A) identify and review the effectiveness of any existing crisis hotlines for law enforcement officers;

(B) provide recommendations to Congress on whether Federal support for existing crisis hotlines or the creation of an alternative hotline would improve the effectiveness or use of the hotline; and

(C) conduct research into the efficacy of an annual mental health check for law enforcement officers;

(2) in consultation with the Secretary of Homeland Security and the head of other Federal agencies that employ law enforcement officers, examine the mental health and wellness needs of Federal law enforcement officers, including the efficacy of expanding peer mentoring programs for law enforcement officers at each Federal agency; and

(3) ensure that any recommendations, resources, or programs provided under this Act protect the privacy of participating law enforcement officers.

GRANTING THE CONSENT AND APPROVAL OF CONGRESS TO THE COMMONWEALTH OF VIRGINIA, THE STATE OF MARYLAND, AND THE DISTRICT OF COLUMBIA TO ENTER INTO A COMPACT

Mr. ALEXANDER. Mr. President, as in legislative session, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S.J. Res. 22 and the Senate proceed to its immediate consideration.

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

The clerk will report the joint resolution by title.

The senior assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 22) granting the consent and approval of Congress to the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to enter into a compact relating to the establishment of the Washington Metrorail Safety Commission.

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

Mr. ALEXANDER. I further ask unanimous consent that the joint resolution be considered read a third time and passed, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The joint resolution (S.J. Res. 22) was ordered to be engrossed for a third reading, was read the third time, and passed.

The preamble was agreed to.

The joint resolution, with its preamble, reads as follows:

S.J. RES. 22

Whereas the Washington Metropolitan Area Transit Authority, an interstate compact agency of the District of Columbia, the Commonwealth of Virginia, and the State of Maryland, provides transportation services to millions of people each year, the safety of whom is paramount;

Whereas an effective and safe Washington Metropolitan Area Transit Authority system is essential to the commerce and prosperity of the National Capital region;

Whereas the Tri-State Oversight Committee, created by a memorandum of understanding amongst these 3 jurisdictions, has provided safety oversight of the Washington Metropolitan Area Transit Authority;

Whereas section 5329 of title 49, United States Code, requires the creation of a legally and financially independent State authority for safety oversight of all fixed rail transit facilities;

Whereas the District of Columbia, the Commonwealth of Virginia, and the State of Maryland intend to create a Washington Metrorail Safety Commission to act as the State safety oversight authority for the Washington Metropolitan Area Transit Authority system under section 5329 of title 49, United States Code; and

Whereas this compact is created for the benefit of the people of the District of Columbia, the Commonwealth of Virginia, and the State of Maryland and for the increase of their safety, commerce, and prosperity: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent and approval of Congress is hereby given to the District of Columbia, the Commonwealth of Virginia, and the State of Maryland to enter into a compact, substantially as follows, for the safety oversight of the Washington Metropolitan Area Transit Authority system, which compact, known as the Metrorail Safety Commission Interstate Compact, has been negotiated by representatives of the District of Columbia, the Commonwealth of Virginia, and the State of Maryland:

“ARTICLE I

“DEFINITIONS

“1. As used in this MSC Compact, the following words and terms shall have the meanings set forth below, unless the context clearly requires a different meaning. Capitalized terms used herein, but not otherwise defined in this MSC Compact, shall have the definitions set forth in regulations issued under section 5329 of title 49, United States Code, as they may be revised from time to time.

“(a) ‘Alternate Member’ means an alternate member of the Board;

“(b) ‘Board’ means the board of directors of the Commission;

“(c) ‘Commission’ means the Washington Metrorail Safety Commission;

“(d) ‘Member’ means a member of the Board;

“(e) ‘MSC Compact’ means this Washington Metrorail Safety Commission Interstate Compact;

“(f) ‘Public Transportation Agency Safety Plan’ means the comprehensive agency safety plan for a rail transit agency required by section 5329 of title 49, United States Code, and the regulations issued thereunder, as may be amended or revised from time to time;

“(g) ‘Public Transportation Safety Certification Training Program’ means the Federal certification training program, as established and amended from time to time by applicable Federal laws and regulations, for Federal and State employees, or other designated personnel, who conduct safety audits and examinations of public transportation systems, and employees of public transportation agencies directly responsible for safety oversight;

“(h) ‘Safety Sensitive Position’ means any position held by a WMATA employee or contractor designated in the Public Transportation Agency Safety Plan for the WMATA Rail System and approved by the Commission as directly or indirectly affecting the safety of the passengers or employees of the WMATA Rail System;

“(i) ‘Signatory’ means the State of Maryland, the Commonwealth of Virginia, and the District of Columbia;

“(j) ‘State’ or ‘jurisdiction’ means the District of Columbia, the State of Maryland, or the Commonwealth of Virginia;

“(k) ‘Washington Metropolitan Area Transit Authority’ or ‘WMATA’ is the entity created by the WMATA Compact, which entity is responsible for providing certain rail fixed guideway public transportation system services;

“(l) ‘WMATA Compact’ means the Washington Metropolitan Area Transit Authority Compact (Public Law 89-774; 80 Stat. 1324); and

“(m) ‘WMATA Rail System’ or ‘Metrorail’ means the rail fixed guideway public transportation system and all other real and personal property owned, leased, operated, or otherwise used by WMATA rail services and shall include WMATA rail projects under design or construction by owners other than WMATA.

“ARTICLE II

“PURPOSE AND FUNCTIONS

“2. The Signatories to the WMATA Compact hereby adopt this MSC Compact pursuant to section 5329 of title 49, United States Code. The Commission created hereunder shall have safety regulatory and enforcement authority over the WMATA Rail System and shall act as the State safety oversight authority for WMATA under section 5329 of title 49, United States Code, as may be amended from time to time. WMATA shall be subject to the Commission’s rules, regulations, actions, and orders.

“3. The purpose of this MSC Compact is to create a State safety oversight authority for the WMATA Rail System, pursuant to the mandate of Federal law, as a common agency of each Signatory, empowered in the manner hereinafter set forth to review, approve, oversee, and enforce the safety of the WMATA Rail System, including, without limitation, to—

“(a) have exclusive safety oversight authority and responsibility over the WMATA Rail System pursuant to Federal law, including, without limitation, the power to restrict, suspend, or prohibit rail service on all or part of the WMATA Rail System as set forth in this MSC Compact;

“(b) develop and adopt a written State safety oversight program standard;

“(c) review and approve the WMATA Public Transportation Agency Safety Plan;

“(d) investigate hazards, incidents, and accidents on the WMATA Rail System;

“(e) require, review, approve, oversee, and enforce Corrective Action Plans developed by WMATA; and

“(f) meet other requirements of Federal and State law relating to safety oversight of the WMATA Rail System.

“ARTICLE III

“ESTABLISHMENT AND ORGANIZATION

“A. Washington Metrorail Safety Commission

“4. The Commission is hereby created as an instrumentality of each Signatory, which shall be a public body corporate and politic, and which shall have the powers and duties set forth in this MSC Compact.

“5. The Commission shall be financially and legally independent from WMATA.

“B. Board Membership

“6. The Commission shall be governed by a Board of 6 Members with 2 Members appointed or reappointed (including to fill an unexpired term) by each Signatory pursuant to the Signatory’s applicable laws.

“7. Each Signatory shall also appoint or reappoint (including to fill an unexpired term) one Alternate Member pursuant to the Signatory’s applicable laws.

“8. An Alternate Member shall participate and take action as a Member only in the absence of one or both Members appointed from the same jurisdiction as the Alternate Member’s appointing jurisdiction and, in such instances, may cast a single vote.

“9. Members and Alternate Members shall have backgrounds in transit safety, transportation, relevant engineering disciplines, or public finance.

“10. No Member or Alternate Member shall simultaneously hold an elected public office, serve on the WMATA board of directors, be employed by WMATA, or be a contractor to WMATA.

“11. Each Member and Alternate Member shall serve a 4-year term and may be reappointed for additional terms, except that each Signatory shall make its initial appointments as follows:

“(a) One Member shall be appointed for a 4-year term.

“(b) One Member shall be appointed for a 2-year term.

“(c) The Alternate Member shall be appointed for a 3-year term.

“12. Any person appointed to fill a vacancy shall serve for the unexpired term.

“13. Members and Alternate Members shall be entitled to reimbursement for reasonable and necessary expenses and shall be compensated for each day spent meeting on the business of the Commission at a rate of \$200 per day or at such other rate as may be adjusted in appropriations approved by all of the Signatories.

“14. A Member or an Alternate Member may be removed or suspended from office only for cause in accordance with the laws of such Member’s or Alternate Member’s appointing jurisdiction.

“C. Quorum and Actions of the Board.

“15. Four Members shall constitute a quorum, and the affirmative vote of 4 Members is required for action of the Board. Quorum and voting requirements under this section may be met with one or more Alternate Members pursuant to section 8.

“16. The Commission action shall become effective upon enactment unless otherwise provided for by the Commission.

“D. Oath of Office

“17. Before entering office, each Member and Alternate Member shall take and subscribe to the following oath (or affirmation) of office or any such other oath or affirmation as the constitution or laws of the Signatory he or she represents shall provide:

"I, _____, hereby solemnly swear (or affirm) that I will support and defend the Constitution and the laws of the United States as a Member (or Alternate Member) of the Board of the Washington Metrorail Safety Commission and will faithfully discharge the duties of the office upon which I am about to enter.

"E. Organization and Procedure

"18. The Board shall provide for its own organization and procedure. Meetings of the Board shall be held as frequently as the Board determines, but in no event less than quarterly. The Board shall keep minutes of its meetings and establish rules and regulations governing its transactions and internal affairs, including, without limitation, policies regarding records retention that are not in conflict with applicable Federal record retention laws.

"19. The Commission shall keep commercially reasonable records of its financial transactions in accordance with accounting principles generally accepted in the United States of America.

"20. The Commission shall establish an office for the conduct of its affairs at a location to be determined by the Commission.

"21. The Commission shall adopt subsections (a) through (d) and subsection (g) of section 552 of title 5, United States Code (commonly known as the 'Freedom of Information Act') and section 552b of title 5, United States Code (commonly known as the 'Government in Sunshine Act'), as both may be amended from time to time, as its freedom of information policy and open meeting policy, respectively, and shall not be subject to the comparable laws or policies of any Signatory.

"22. Reports of investigations or inquiries adopted by the Board shall be made publicly available.

"23. The Commission shall adopt a policy on conflict of interest that shall be consistent with the regulations issued under section 5329 of title 49, United States Code, as they may be revised from time to time, which, among other things, places appropriate separation between Members, officers, employees, contractors, and agents of the Commission and WMATA.

"24. The Commission shall adopt and utilize its own administrative procedure and procurement policies in conformance with applicable Federal regulations and shall not be subject to the administrative procedure or procurement laws of any Signatory.

"F. Officers and Employees

"25. The Board shall elect a Chairman, Vice Chairman, Secretary, and Treasurer from among its Members, each for a 2-year term and shall prescribe their powers and duties.

"26. The Board shall appoint and fix the compensation and benefits of a chief executive officer who shall be the chief administrative officer of the Commission and who shall have expertise in transportation safety and one or more industry-recognized transportation safety certifications.

"27. Consistent with section 5329 of title 49, United States Code, as may be amended from time to time, the Commission may employ, under the direction of the chief executive officer, such other technical, legal, clerical, and other employees on a regular, part-time, or as-needed basis as it determines necessary or desirable for the discharge of its duties.

"28. The Commission shall not be bound by any statute or regulation of any Signatory in the employment or discharge of any officer or employee of the Commission, but shall develop its own policies in compliance with Federal law. The MSC shall, however, consider the laws of the Signatories in devising its employment and discharge policies, and when it deems it practical, devise policies consistent with the laws of the Signatories.

"29. The Board may fix and provide policies for the qualification, appointment, removal, term, tenure, compensation benefits, worker's compensation, pension, and retirement rights of its employees subject to Federal law. The Board may also establish a personnel system based on merit and fitness and, subject to eligibility, participate in the pension, retirement, and worker's compensation plans of any Signatory or agency or political subdivision thereof.

"ARTICLE IV

"POWERS

"A. Safety Oversight Power.

"30. In carrying out its purposes, the Commission, through its Board or designated employees or agents, shall, consistent with Federal law—

"(a) adopt, revise, and distribute a written State Safety Oversight Program;

"(b) review, approve, oversee, and enforce the adoption and implementation of WMATA's Public Transportation Agency Safety Plan;

"(c) require, review, approve, oversee, and enforce the adoption and implementation of any Corrective Action Plans that the Commission deems appropriate;

"(d) implement and enforce relevant Federal and State laws and regulations relating to safety of the WMATA Rail System; and

"(e) audit every 3 years the compliance of WMATA with WMATA's Public Transportation Agency Safety Plan or conduct such an audit on an ongoing basis over a 3-year time frame.

"31. In performing its duties, the Commission, through its Board or designated employees or agents, may do the following:

"(a) Conduct, or cause to be conducted, inspections, investigations, examinations, and testing of WMATA personnel and contractors, property, equipment, facilities, rolling stock, and operations of the WMATA Rail System, including, without limitation, electronic information and databases through reasonable means, which may include issuance of subpoenas.

"(b) Enter upon the WMATA Rail System and, upon reasonable notice and a finding by the chief executive officer that a need exists, upon any lands, waters, and premises adjacent to the WMATA Rail System, including, without limitation, property owned or occupied by the Federal Government, for the purpose of making inspections, investigations, examinations, and testing as the Commission may deem necessary to carry out the purposes of this MSC Compact, and such entry shall not be deemed a trespass. The Commission shall make reasonable reimbursement for any actual damage resulting to any such adjacent lands, waters, and premises as a result of such activities.

"(c) Compel WMATA's compliance with any Corrective Action Plan or order of the Commission by such means as the Commission deems appropriate, including, without limitation, by—

"(1) taking legal action in a court of competent jurisdiction;

"(2) issuing citations or fines with funds going into an escrow account for spending by WMATA on Commission-directed safety measures;

"(3) directing WMATA to prioritize spending on safety-critical items;

"(4) removing a specific vehicle, infrastructure element, or hazard from the WMATA Rail System; and

"(5) compelling WMATA to restrict, suspend, or prohibit rail service on all or part of the WMATA Rail System with an appropriate notice period dictated by the circumstances.

"(d) Direct WMATA to suspend or disqualify from performing in any Safety Sen-

sitive Position an individual who is alleged to or has violated safety rules, regulations, policies, or laws.

"(e) Compel WMATA's Office of the Inspector General, created under WMATA Board Resolution 2006-18, or any successor WMATA office or organization having similar duties, to conduct safety-related audits or investigations and to provide its findings to the Commission.

"(f) Take such other actions as the Commission may deem appropriate consistent with its purpose and powers.

"32. Action by the Board under section 31(c)(5) shall require the unanimous vote of all Members present and voting. The Commission shall coordinate its enforcement activities with appropriate Federal and State governmental authorities.

"B. General Powers

"33. In addition to the powers and duties set forth above, the Commission may—

"(a) sue and be sued;

"(b) adopt, amend, and repeal rules and regulations respecting the exercise of the powers conferred by this MSC Compact;

"(c) create and abolish offices, employments, and positions (other than those specifically provided for in this MSC Compact) necessary or desirable for the purposes of the Commission;

"(d) determine a staffing level for the Commission that is commensurate with the size and complexity of the WMATA Rail System, and require that employees and other designated personnel of the Commission, who are responsible for safety oversight, be qualified to perform such functions through appropriate training, including, without limitation, successful completion of the Public Transportation Safety Certification Training Program;

"(e) contract for or employ consulting attorneys, inspectors, engineers, and such other experts necessary or desirable and, within the limitations prescribed in this MSC Compact, prescribe their powers and duties and fix their compensation;

"(f) enter into and perform contracts, leases, and agreements necessary or desirable in the performance of its duties and in the execution of the powers granted under this MSC Compact;

"(g) apply for, receive, and accept such payments, appropriations, grants, gifts, loans, advances, and other funds, properties, and services as may be transferred or made available to it by the United States government or any other public or private entity or individual, subject to the limitations specified in section 42;

"(h) adopt an official seal and alter the same at its pleasure;

"(i) adopt and amend by-laws, policies, and procedures governing the regulation of its affairs;

"(j) appoint one or more advisory committees; and

"(k) do such other acts necessary or desirable for the performance of its duties and the execution of its powers under this MSC Compact.

"34. Consistent with this MSC Compact, the Commission shall promulgate rules and regulations to carry out the purposes of this MSC Compact.

"ARTICLE V

"GENERAL PROVISIONS

"A. Annual Safety Report

"35. The Commission shall make and publish annually a status report on the safety of the WMATA Rail System, which shall include, among other requirements established by the Commission and Federal law, status updates of outstanding Corrective Action Plans, Commission directives, and on-going investigations. A copy of each such report shall be provided to—

“(a) the Administrator of the Federal Transit Administration;

“(b) the Governor of Virginia, the Governor of Maryland, and the Mayor of the District of Columbia;

“(c) the Chairman of the Council of the District of Columbia;

“(d) the President of the Maryland Senate and the Speaker of the Maryland House of Delegates;

“(e) the President of the Virginia Senate and the Speaker of the Virginia House of Delegates; and

“(f) the General Manager and each member of the board of directors of WMATA.

“36. The Commission may prepare, publish, and distribute such other safety reports that it deems necessary or desirable.

“B. Annual Report of Operations

“37. The Commission shall make and publish an annual report on its programs, operations, and finances, which shall be distributed in the same manner provided by section 35.

“38. The Commission may also prepare, publish, and distribute such other public reports and informational materials as it deems necessary or desirable.

“C. Annual Independent Audit

“39. An independent annual audit shall be made of the financial accounts of the Commission. The audit shall be made by qualified certified public accountants selected by the Board, who shall have no personal interest, direct or indirect, in the financial affairs of the Commission or any of its officers or employees. The report of audit shall be prepared in accordance with generally accepted auditing principles and shall be distributed in the same manner provided by section 35. Members, employees, agents, and contractors of the Commission shall provide access to information necessary or desirable for the conduct of the annual audit.

“D. Financing

“40. The Commission's operations shall be funded, independently of WMATA, by the Signatory jurisdictions and, when available, by Federal funds. The Commission shall have no authority to levy taxes.

“41. The Signatories shall unanimously agree on adequate funding levels for the Commission and make equal contributions of such funding, subject to annual appropriation, to cover the portion of Commission operations not funded by Federal funds.

“42. The Commission may borrow up to 5 percent of its last annual appropriations budget in anticipation of receipts, or as otherwise set forth in the appropriations budget approved by all of the Signatories, from any lawful lending institution for any purpose of this MSC Compact, including, without limitation, for administrative expenses. Such loans shall be for a term not to exceed 2 years, or at such longer term approved by each Signatory pursuant to its laws as evidenced by the written authorization by the Mayor of the District of Columbia and the Governors of Maryland and Virginia, and at such rates of interest as shall be acceptable to the Commission.

“43. With respect to the District of Columbia, the commitment or obligation to render financial assistance to the Commission shall be created, by appropriation or in such other manner, or by such other legislation, as the District of Columbia shall determine; provided, that any such commitment or obligation shall be approved by Congress pursuant to the District of Columbia Home Rule Act (Public Law 93-198; 87 Stat. 774).

“44. Pursuant to the requirements of sections 1341, 1342, 1349, 1350, 1351, 1511, and 1519 of title 31, United States Code, and sections 47-105 and 47-355.01 to 355.08 of the D.C. Official Code (collectively referred to in this section as the ‘Anti-Deficiency Acts’), the Dis-

trict of Columbia cannot obligate itself to any financial commitment in any present or future year unless the necessary funds to pay that commitment have been appropriated and are lawfully available for the purpose committed. Thus, pursuant to the Anti-Deficiency Acts, nothing in the MSC Compact creates an obligation of the District of Columbia in anticipation of an appropriation for such purpose, and the District of Columbia's legal liability for the payment of any amount under this MSC Compact does not and may not arise or obtain in advance of the lawful availability of appropriated funds for the applicable fiscal year.

“E. Tax Exemption

“45. The exercise of the powers granted by this MSC Compact shall in all respects be for the benefit of the people of the District of Columbia, the Commonwealth of Virginia, and the State of Maryland and for the increase of their safety, commerce, and prosperity, and as the activities associated with this MSC Compact shall constitute the performance of essential governmental functions, the Commission shall not be required to pay any taxes or assessments upon the services or any property acquired or used by the Commission under the provisions of this MSC Compact or upon the income therefrom, and shall at all times be free from taxation within the District of Columbia, the Commonwealth of Virginia, and the State of Maryland.

“F. Reconsideration of Commission Orders

“46. WMATA shall have the right to petition the Commission for reconsideration of an order based on rules and procedures developed by the Commission.

“47. Consistent with section 16, the filing of a petition for reconsideration shall not act as a stay upon the execution of a Commission order, or any part of it, unless the Commission orders otherwise. WMATA may appeal any adverse action on a petition for reconsideration as set forth in section 48.

“G. Judicial Matters

“48. The United States District Court for the Eastern District of Virginia, Alexandria Division, the United States District Court for the District of Maryland, Southern Division, and the United States District Court for the District of Columbia shall have exclusive and original jurisdiction of all actions brought by or against the Commission and to enforce subpoenas under this MSC Compact.

“49. The commencement of a judicial proceeding shall not operate as a stay of a Commission order unless specifically ordered by the court.

“H. Liability and Indemnification

“50. The Commission and its Members, Alternate Members, officers, agents, employees, or representatives shall not be liable for suit or action or for any judgment or decree for damages, loss, or injury resulting from action taken within the scope of their employment or duties under this MSC Compact, nor required in any case arising or any appeal taken under this MSC Compact to give a supersedeas bond or security for damages. Nothing in this section shall be construed to protect such person from suit or liability for damage, loss, injury, or liability caused by the intentional or willful and wanton misconduct of such person.

“51. The Commission shall be liable for its contracts and for its torts and those of its Members, Alternate Members, officers, agents, employees, and representatives committed in the conduct of any proprietary function, in accordance with the law of the applicable Signatory (including, without limitation, rules on conflict of laws) but shall not be liable for any torts occurring in the performance of a governmental function. The exclusive remedy for such breach of con-

tract or tort for which the Commission shall be liable, as herein provided, shall be by suit against the Commission. Nothing contained in this MSC Compact shall be construed as a waiver by the District of Columbia, the Commonwealth of Virginia, or the State of Maryland of any immunity from suit.

“I. Commitment of Parties

“52. Each of the Signatories pledges to each other faithful cooperation in providing safety oversight for the WMATA Rail System, and, to affect such purposes, agrees to consider in good faith and request any necessary legislation to achieve the objectives of this MSC Compact.

“J. Amendments and Supplements

“53. Amendments and supplements to this MSC Compact shall be adopted by legislative action of each of the Signatories and the consent of Congress. When one Signatory adopts an amendment or supplement to an existing section of this MSC Compact, that amendment or supplement shall not be immediately effective, and the previously enacted provision or provisions shall remain in effect in each jurisdiction until the amendment or supplement is approved by the other Signatories and is consented to by Congress.

“K. Withdrawal and Termination

“54. Any Signatory may withdraw from this MSC Compact, which action shall constitute a termination of this MSC Compact.

“55. Withdrawal from this MSC Compact shall be by a Signatory's repeal of this MSC Compact from its laws, but such repeal shall not take effect until 2 years after the effective date of the repealed statute and written notice of the withdrawal being given by the withdrawing Signatory to the governors or mayor, as appropriate, of the other Signatories.

“56. Prior to termination of this MSC Compact, the Commission shall provide each Signatory—

“(a) a mechanism for concluding the operations of the Commission;

“(b) a proposal to maintain State safety oversight of the WMATA Rail System in compliance with applicable Federal law;

“(c) a plan to hold surplus funds in a trust for a successor regulatory entity for 4 years after the termination of this MSC Compact; and

“(d) a plan to return any surplus funds that remain 4 years after the creation of the trust.

“L. Construction and Severability

“57. This MSC Compact shall be liberally construed to effectuate the purposes for which it is created.

“58. If any part or provision of this MSC Compact or the application thereof to any person or circumstances be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this MSC Compact or the application thereof to other persons or circumstances, and the Signatories hereby declare that they would have entered into this MSC Compact or the remainder thereof had the invalidity of such provision or application thereof been apparent.

“M. Adoption; Effective Date

“59. This MSC Compact shall be adopted by the Signatories in the manner provided by law therefor and shall be signed and sealed in 4 duplicate original copies. One such copy shall be filed with the Secretary of State of the State of Maryland, the Secretary of the Commonwealth of Virginia, and the Secretary of the District of Columbia in accordance with the laws of each jurisdiction. One

copy shall be filed and retained in the archives of the Commission upon its organization. This MSC Compact shall become effective upon the enactment of concurring legislation by the District of Columbia, the Commonwealth of Virginia, and the State of Maryland, and consent thereto by Congress and when all other acts or actions have been taken, including, without limitation, the signing and execution of this MSC Compact by the Governors of Maryland and Virginia and the Mayor of the District of Columbia.

“L. Conflict of Laws

“60. Any conflict between any authority granted herein, or the exercise of such authority, and the provisions of the WMATA Compact shall be resolved in favor of the exercise of such authority by the Commission.

“61. All other general or special laws inconsistent with this MSC Compact are hereby declared to be inapplicable to the Commission or its activities.”.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

EXECUTIVE CALENDAR—Continued

NATIONAL POLICE WEEK

Ms. MURKOWSKI. Mr. President, this week, our Nation observes National Police Week. This year, during National Police Week, we pay tribute to 143 officers who died in the line of duty during 2016—among them, Sergeant Allen David Brandt of the Fairbanks Police Department. I come to the floor to acknowledge not only Sergeant Brandt but all those officers who served us so honorably.

Sergeant Brandt's wife Natasha and children, Fritz, Kate, Claire, and Belle have traveled all the way from Fairbanks to participate in the events this week. They are accompanied by Allen's best friend, Officer Phil McBroom of the North Pole Police Department, as well as a large group of colleagues from the Fairbanks Police Department, led by Chief Eric Jewkes.

Chief Jewkes, joined by Sergeant Lockwood and Officer Werner, came into Washington for Police Week in a somewhat unique way. They joined 2,200 officers from around the Nation in a 4-day charity bike ride from Northern New Jersey to Washington, DC. They call it the Police Unity Tour, and their motto is: “We ride for those who died.”

Police Week begins with the dedication of names added this year to the National Law Enforcement Officers Memorial on Judiciary Square. That dedication occurs during a very, very moving candlelight vigil at the beginning of Police Week. The candlelight vigil was conducted on Saturday evening on the National Mall this year.

Chief Jewkes, in full uniform, read Allen's name before a crowd numbering

10,000 people or more. A bell was rung, acknowledging the loss of Allen David Brandt. Allen's name was the only Alaska name added to the wall this year.

I wish to thank Craig Floyd, who is the president of the National Law Enforcement Officers Memorial Fund, for the courtesy in affording Chief Jewkes this special honor.

Allen's name is now inscribed in perpetuity on the memorial wall among the 21,000 officers who have made the ultimate sacrifice. His name appears on the bottom of Panel 21—East. This week, the shoulder patch of the Fairbanks Police Department is affixed at the top of that panel. Quite coincidentally, a few lines up on that same panel are the names of Officers Matt Tokuoaka and Anthony Wallace of the Hoonah Police Department, who were brought down by an assailant's bullet in 2010.

During Police Week, we do not dwell on the circumstances under which law enforcement officers gave their lives. We rather focus on how they lived their exemplary lives, and, yes, we pay our respects to the fallen, but Police Week also looks forward. The annual survivor's seminar, sponsored by Concerns of Police Survivors, which helps those who have suffered a law enforcement tragedy grieve and ultimately recover, is an important part of this week as well.

While so much of Police Week is for the law enforcement family, those of us in Washington cannot help but notice what is going on around us—officers in uniform, honor guards, motorcycles, police cars from around the country, the entire law enforcement family—Federal, State, local, Tribal, and visiting officers from places like Canada, England, and Israel.

Many visiting officers bring their spouses. Some bring their children. We are able to truly see the faces behind those uniforms and those badges, and we can look into the eyes of the families.

Let me say a few words about the children who have come in for the observance. You see them on the Metro, sitting atop their father's shoulders. Daddy is wearing his dress uniform. At the candlelight vigil, one of my staff members witnessed a U.S. Park Police officer, in uniform, explaining to her young daughter the meaning of the ceremony. You experience the words of the children at the memorial wall itself, where Emma Moody, the 10-year-old daughter of a fallen California officer, left a hand-drawn memorial to her dad, and it reads:

When I get to heaven the first thing I am going to do is find you. The second thing I will do is never ever let you go again.

When you experience things like this, you cannot help but appreciate the humanity behind the uniforms—a father, a mother, an aunt, an uncle, a friend, a colleague, a neighbor. Law enforcement is no stranger to controversy. Yet it is so important that we see be-

yond controversy; that when we look at an officer we see the humanity that runs toward danger and not from it; the humanity that responds to every call for service, not knowing whether it will be the last; the humanity that kisses a child goodbye before beginning a shift, not knowing whether he will ever see those children again; the humanity that was Allen Brandt.

The story I just recited is Allen's story. Allen was released from the hospital after being shot five times by an assailant. He died from complications associated with a second series of surgeries.

Allen lived long enough to appear before the Fairbanks City Council and thank the community for their support. He also offered some very cautionary words. He said:

Our officers do a very hard job, most of the time thankless. Working weekends when their friends are with their families. Working nights and sleeping during the day. We need your support and not just when bad things happen.

A few weeks later, Anchorage Police Officer Arn Salao thought he was responding to a call involving a dispute between a cabdriver and his passenger. When he arrived at the scene, he was ambushed and shot four times. Miraculously, Officer Salao survived his injuries.

In spite of these tragedies, it is dispiriting that people continue to challenge law enforcement. Last week, Colonel James Cockrell, retired after 30 years with the Alaska State Troopers, and just prior to his retirement, reflected on the dangers troopers face. Assaults on Alaska State Troopers are up, from 52 in 2013 to 131 last year.

I wish to share with the Senate a few lines from an interview with KTUU in Anchorage. Colonel Cockrell said:

I think there's generally a little bit less respect for law enforcement. I think a lot of that spurred from the Lower 48. We're having troopers contact people in a one-on-one situation. Individuals are more apt to fight with us if they think they have an advantage, when we don't have backup. We don't have two or three troopers responding to a high risk crime in progress. The consequences are that people are more apt to fight with our Troopers.

All of this is deeply tragic. As I look across the Nation, we are not really seeing any signs of abatement. Some might be attributable to the opioid crisis, some to a loss of respect for law enforcement, and some simply because suspects challenge law enforcement in hopes of evading them.

This year, law enforcement has already suffered 48 line-of-duty deaths, 17 of those from gunfire. This fact is not lost on the officers from Interior Alaska who are in our Nation's Capital this week. It is not lost on those who are considering law enforcement careers but decide to perhaps take a pass, leaving critical vacancies in agencies throughout the country. Law enforcement remains very dangerous work, and for all the satisfaction that comes from serving people in their darkest

moments, there are no guarantees the officer will return home.

I hope that, during this National Police Week and throughout the year, we will reflect on Allen Brandt's final words: "Law enforcement needs our support and not just when bad things happen."

In these times, law enforcement needs that support now more than ever. On behalf of my Senate colleagues, I offer my continued condolences to Natasha Brandt and her family, to Allen Brandt's colleagues, and to survivors of law enforcement tragedies everywhere.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

CHINA

Mr. RUBIO. Mr. President, I have come to the floor today as part of my office's Expression NOT Oppression initiative, which highlights human rights abuses around the world and the plight of individuals imprisoned or oppressed for simply exercising their God-given rights.

Earlier this month, we observed World Press Freedom Day, which serves as a reminder that freedom of expression is a fundamental, universal human right and that a free press is vital to a free society.

We should never take for granted the freedom of the press we enjoy here in the United States. These rights are an integral part of the bedrock of any healthy democracy, and in too many parts of the world, they are nonexistent or under assault.

According to Reporters Without Borders' 2017 World Press Freedom Index, press freedom is threatened now more than ever. Governments around the world continue to crack down on their citizens' access to information. Out of 180 countries, Burundi dropped from 156 to 160. Most problematic for press freedom, Egypt dropped from 159 to 161, and Bahrain dropped from 162 to 164.

Additionally, Reporters Without Borders has reported that at least nine journalists have been killed already in 2017. Several were killed in Mexico, here in our own hemisphere. It is hard to believe that people are being thrown in jail or worse simply because government officials don't like what they write or publish, but that is what is happening, especially in countries like China, Russia, Iran, and Saudi Arabia, just to name a few.

The case I come to the floor today to highlight is that of Huang Qi, who has long been targeted by the Chinese Government because of his advocacy for the rights of ordinary citizens and his coverage of the Chinese Government's violation of those rights. In November

of last year, the police reportedly burst into his residence and ransacked his home and took him to detention. In December of last year, Chinese prosecutors authorized Huang's arrest for allegedly "illegally providing state secrets overseas," a charge that can result in a sentence of life imprisonment. The Committee to Protect Journalists described his detention as part of "an intensified crackdown on online journalists and bloggers who report on protests and human rights abuses."

Huang founded the 64 Tianwang human rights website in 1998. The Chinese Government has blocked access to 64 Tianwang since 2003, according to Radio Free Asia, because the site covers issues deemed politically sensitive by authorities, such as protests and government corruption.

Authorities previously sentenced Huang to 3 years in prison in November 2009 for "illegal possession of state secrets"—this in connection with his work assisting parents who lost children during the 2008 Sichuan earthquake. In addition, Chinese authorities sentenced Huang to 5 years in prison in 2000 for "subversion" for his advocacy on behalf of the families of the 1989 Tiananmen protest victims—a solemn anniversary we will mark next month.

In short, Huang, a veteran activist, is no stranger to the Chinese Government's silencing of dissent. His life's work is a testament to fearless reporting regardless of what consequences may follow. While his own government views him as a threat, outside of China, his work is widely praised and recognized. Reporters Without Borders awarded the 2016 Press Freedom Award to his website. His case has been championed by Human Rights Watch, Freedom House, and others, including the Congressional-Executive Commission on China, which I am proud to chair. His case is featured in the Commission's Political Prisoner Database, which presently contains more than 1,400 active prisoner records—a staggering but far from exhaustive number.

Huang is committed to reporting the facts—facts that describe the daily struggles of Chinese citizens. For this, he has suffered greatly, including reported torture and mistreatment in detention, unjust imprisonment, and deprivation of his most basic rights.

The Chinese Government should immediately and unconditionally release him. The United States should make this case and the cases of many others like him languishing unjustly behind bars in China or tortured into "confessing" to "crimes" they did not commit, priorities—we should make these priorities in our bilateral engagement with Beijing.

It is the second point—the torture and mistreatment of rights defenders—that brings to mind another troubling case, that of prominent rights lawyer Xie Yang. His wife, who recently arrived in the United States with her two young children, will testify before the House Foreign Affairs Committee later

this week. Xie has bravely taken on sensitive cases, including land grab victims and advocates for democratic reform. Chinese security agents detained him as part of the 709 Crackdown—a sweeping, nationwide campaign against Chinese rights lawyers and advocates that started on July 9, 2015.

The plight of 45-year-old Mr. Xie burst onto the international scene in January 2017 when his attorneys released transcripts of their meetings with him. The transcripts recount the threats of his inquisitors. They said: "We'll torture you to death just like an ant." Another warned: "I'm going to torment you until you go insane." He told his lawyers: "I wanted to end their interrogation of me as quickly as I could, even if it meant death. . . . Later, I wrote down whatever they wanted." As if foreshadowing the fate that awaited him, he had earlier written a letter in detention in which he cautioned, "If one day in the future I admit guilt . . . that will not be a true expression of my thoughts."

Fast-forward to last week. He was charged with "inciting subversion of state power and disrupting court order" and pled guilty in a recorded video released by the court and widely reported in major media outlets. He said: "I want to take this opportunity to express to other rights lawyers my view now that we should give up using contact with foreign media and independent media to hype sensitive news events, attack judicial institutions and smear the image of the nation's party organs while handling cases. . . ."

He continued in that same coerced statement: "Everyone should take me as a warning to certainly stay within the framework of the law and avoid being exploited by Western anti-China forces."

Yet, despite these warnings and the Chinese Government's unyielding assault on human rights, there are still men and women committed to reporting on the government's abuses and steadfast in defending the powerless and the marginalized. Their courage is an inspiration, and it must summon our solidarity.

I look forward to the day when the Chinese Government upholds rather than tramples the rights of its own citizens, abides by the rule of law at home, and respects the international rules-based system globally. However, that day has not yet arrived. Until it does, we must signal to the Chinese people that whatever our broader diplomatic and strategic aims may be as it relates to North Korea or any other issue, America is under no illusions about the iron-fisted leadership of President Xi and his utter disregard for the rights and dignity of his own people.

As President Trump continues fulfilling his duty and appointing individuals to key positions, I will keep raising these issues with each and every relevant nominee whom I meet with

both privately, as I did with Governor Branstad, and publicly, as I did during his confirmation hearing. It is critical that the United States keep human rights for all people as a core pillar of our foreign policy.

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

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

Under the previous order, all postcloture time has expired.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Georgia (Mr. ISAKSON) and the Senator from Kansas (Mr. MORAN).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 56, nays 42, as follows:

[Rollcall Vote No. 129 Ex.]

YEAS—56

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

NAYS—42

Baldwin	Franken	Murray
Bennet	Gillibrand	Nelson
Blumenthal	Harris	Reed
Booker	Hassan	Sanders
Brown	Heinrich	Schatz
Cantwell	Hirono	Schumer
Cardin	King	Shaheen
Carper	Klobuchar	Stabenow
Casey	Leahy	Tester
Coons	Markey	Udall
Cortez Masto	McCaskill	Van Hollen
Duckworth	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Murphy	Wyden

NOT VOTING—2

Isakson	Moran
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The nomination was confirmed.

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

EXECUTIVE CALENDAR

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

The legislative clerk read the nomination of Rachel L. Brand, of Iowa, to be Associate Attorney General.

The PRESIDING OFFICER. The majority leader.

LEGISLATIVE SESSION

MORNING BUSINESS

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

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

CONFLICT MINERALS LAW

Mr. DURBIN. Mr. President, Congress often considers issues that have far reaching consequences for millions of people, but in 2010, a law was enacted that literally meant life-or-death for millions of people in the Democratic Republic of the Congo. The law stems the flow of financial support to warloads in the Democratic Republic of the Congo. Many may not realize that more than 5 million people have been killed during long-running conflicts in the Democratic Republic of the Congo, which have been the most deadly since World War II. Tragically, women and children have suffered the most, as is too often the case when it comes to conflict.

Millions have been displaced from their homes, and the prevalence of rape and sexual violence as a weapon of war is almost beyond belief, earning eastern Congo the grim distinction of being the "Rape Capital of the World." Sam Brownback first took me there in 2005, and I returned again in 2010. At the time, the U.N. reported that about 1,000 women were sexually assaulted every day in Congo, roughly equivalent to 12 percent of all Congolese women. I can still vividly remember walking across the lava-strewn refugee camps and visiting the victims of sexual assault in the heroic Heal Africa Hospital. I also recall the hearing I held in the Judiciary Subcommittee on Human Rights and the Law about rape as a weapon of war. Congolese doctor Denis Mukwege testified about the horrors of the region's sexual violence he helped treat at Panzi Hospital. One of the drivers and funders of this conflict was paradoxically that which fills the DRC with such potential: its natural resources. Instead of paying for the nation's peace, education, roads, and public health programs, the DRC's mineral wealth was being siphoned off to fund the armed groups that vie for local and regional control of vast areas far from Congo's capital, Kinshasa.

Tin, tantalum, tungsten, and gold are found in everyday electronics, jewelry, airplanes, and manufacturing equipment, but these minerals also have provided weapons and salaries to fighters, including conscripted child soldiers, who then commit unspeakable horrors on innocent civilians. That is why, in 2009, I joined Senators Brownback and Feingold and Congressman McDermott in drafting a simple reporting requirement for US-registered corporations that source these four minerals from the DRC or its neighbors. It passed and became law in 2010 to help stem the flow of financial support from illicit mining to the region's horrific violence.

It wasn't a ban. It was simply a transparency measure that said if you use any of these key minerals from the region, you had to note in your filings with the U.S. Securities and Exchange Commission what, if anything, you were doing to not source from those fueling the region's violence. If a company isn't taking any action to avoid fueling the region's violence, there isn't a penalty, but at least consumers would know that. This gives consumers the final decision on what electronics they want in their pockets. On a broader scale, the measure aimed to use collective industry action to clean up the supply chain of these minerals, which I am proud to say has worked.

For example, before the law, not a single smelter of tin, tungsten, tantalum—also known as the 3Ts—or gold had submitted to and passed an audit about dealing in conflict minerals. Today, 76 percent of the world's smelters of the 3Ts or gold have passed such an audit. Today more than 200 mines have also now been certified as conflict free. The effects of supply chain due diligence in this region are remarkable and are due to the leadership of many in the industry, including Intel, Apple, Kemet, and a number of companies from Illinois, including Motorola and AAR Corp. This process is far from complete or perfect, but the conflict minerals law has helped clean up the minerals trade and ease the grip Congolese warlords have had on the mining sector.

So imagine my dismay when I recently learned the Acting Chairman of the Securities and Exchange Commission, Michael Piwowar, unilaterally instructed his staff to halt enforcement of the law. In his April 7 statement, he mistakenly conflated aspects of an earlier court decision to justify his actions. It sets a dangerous precedent when an Acting Chairman decides which laws the SEC should and should not enforce.

Let me be clear, this unilateral action was without legal basis and is beyond the scope of the Acting Chairman's authority. As such, I urge the Acting Chairman to rescind his directive and allow full enforcement of the Conflict Minerals law and rule. This isn't just about enforcing the law as written by Congress, this is life-or-

death for millions of people in the Democratic Republic of the Congo. The Acting Chairman would be well advised to remember that.

TRIBUTE TO ANN KALAYIL

Mr. DURBIN. Mr. President, I want to take a few minutes to acknowledge Ann Kalayil. Earlier this year, after 6 years, Ann stepped down as Regional Administrator of the U.S. General Services Administration's—GSA—Great Lakes Region. Ann Kalayil is a trailblazer. She is the first woman—and first Asian American—to serve as GSA Administrator of the six-State Great Lakes Region. I am honored to congratulate her on a job well done.

Headquartered in Chicago, IL, the GSA is the Federal Government's real estate and procurement manager. As Regional Administrator, Ann Kalayil was responsible for 128 Federal buildings, 986 leased locations, 11 U.S. land ports, nearly 1,000 employees, and about \$150 million in contracts to small and economically disadvantaged businesses. To say Ann Kalayil had a big job is an understatement, but it will come as no surprise to the people who know her that she met the challenge head-on and thrived in the role.

Her story is the story of the American dream. Born in Chicago, Ann was the daughter of Indian immigrants. When she was 5 years old, her parents moved back to Kerala, India. It was the first time Ann met her siblings, Tom, Sales, and Lisa. They were ecstatic to meet their baby sister but spoke very little English and struggled to communicate with each other. So what did Ann do? She took it upon herself to learn Malayalam, a South Indian language native to Kerala, India. Malayalam is an extremely complicated language, but Ann picked it up immediately, and people never guessed it wasn't her first language. This is how Ann would handle situations throughout her career. She never feared going out of her way to learn the needs of the community or group, even if it meant she would do most of the work. All that matters to Ann Kalayil is getting results.

People who know Ann best describe her as fierce, outspoken, and compassionate—just like her late father, Philip Kalayil. Her dad taught her the importance of these shared values and public service. Philip Kalayil was a Chicagoland legend. He was leader in the Indian American community, starting organizations to help people stay in touch with their culture and religion. Later, he would start the Indo-American Democratic Organization, empowering people to register to vote and make their voices heard. Ann would later serve as its president. In 2008, Philip was recognized by the Association for Asian American Studies with its Heart of Asian America Community Award, a well-deserved honor.

You could say public service was in Ann's blood, and although Philip is no

longer with us, I know he would feel the same way. What a proud moment it must have been for him, watching his youngest daughter being sworn in to a top Federal job—appointed by the President of the United States—while holding the family Bible.

Growing up as Philip Kalayil's daughter, Ann had a front row seat in how to be a leader in the community and has waged countless successful campaigns, issues ranging from education policy, campaign finance reform, immigration reform, and documenting Asian American history. During the 2008 Presidential campaign, Ann cochaired Obama's Asian American and Pacific Islander Leadership Council and was among a select few who was in a reserved area near the stage in Grant Park when Obama greeted a crowd of nearly 200,000 to celebrate the historic election. For all she takes on, her brother Tom only recalls seeing Ann nervous once, and it was when she was asked to throw the first pitch at a Chicago White Sox game following her appointment at the GSA.

Prior to her appointment at the GSA, Ann worked for more than 12 years at the University of Chicago in Information Technology Services in Emerging Technologies and Communications and as director of Client Services and Support. Like her father, she was also a teacher. Ann taught interdisciplinary courses on Asian Americans at DePaul University, Loyola University Chicago, and the University of Illinois at Chicago. Ann also holds a bachelor's degree in political science from the University of Illinois at Chicago, a bachelor's degree in computer science from Northeastern Illinois University, a master's degree in Asian studies from the University of Illinois at Urbana-Champaign, and a doctorate from the University of Wisconsin-Madison.

I want to congratulate Ann Kalayil on her wonderful career and her outstanding service to our community and the country. I wish her all the best.

ADDITIONAL STATEMENTS

TRIBUTE TO UTAH'S SERVICE ACADEMY NOMINEES

• Mr. LEE. Mr. President, one of the great privileges of representing my fellow Utahns in the U.S. Senate is the annual opportunity to meet the exceptional young men and women from the great State of Utah who have answered the call of service by applying to the U.S. Air Force Academy, the U.S. Military Academy, the U.S. Naval Academy, and the U.S. Merchant Marine Academy.

Under title 10 of the U.S. Code, each year, Members of Congress are authorized to nominate a number of young men and women from their district or State to attend the country's service academies. It is my distinct honor to recognize 10 of these exemplary Utahns this year.

Each of these 10 students is of sound mind and body. This will serve them well in Colorado Springs, West Point, Annapolis, and Kings Point—but to succeed they will need more than this.

The journey on which these young men and women will soon embark requires more than mental and physical aptitude. It also demands strong moral character—leadership, courage, honesty, prudence, and self-discipline. It calls for a commitment to service and love of country.

Today I would like to recognize and congratulate each of these impressive students, all of whom embody, in their own unique way, the standards of excellence on which America's service academies are built.

Jacob Lee Angeletti will be attending the U.S. Air Force Academy. Jacob will be graduating from Bingham High School, where he was the captain of the soccer team. He also captained his championship club soccer team, was named to the Utah Olympic Development Soccer Team, and encouraged young athletes as a coach in the local soccer league. A leader among his peers, Jacob participated in the Boy Scouts and also served as a president in his church's youth organization.

Emilyanne Rose Baker, from Wasatch High School, accepted an appointment to the U.S. Military Academy at West Point after visiting multiple service academies. Active in both her school and community, Emilyanne served as president of the Japanese Club, a group leader for Youthline, and a mentor for Big Brothers Big Sisters. She is a member of the National Honor Society and was the scholar-athlete on the swim team.

Cody William Brophy will be attending the U.S. Air Force Academy after graduating from Corner Canyon High School. Throughout high school, Cody prepared himself to attend an academy by preparing academically, physically, and by seeking leadership opportunities.

He ran cross country and track, played competitive soccer, was a member of the National Honor Society, and participated in the Civil Air Patrol. Cody also attended Boys State and served as president of the peer leadership team council.

Andrew Jesse Dansie has accepted an appointment to the U.S. Military Academy at West Point. An Eagle Scout and active member of JROTC, Andrew will soon graduate from Snow Canyon High School. Using his skills as captain of the swim team, he served others as coach of a special needs swim team. Andrew was selected as one of five students to represent his school with the district leadership academy, where he sharpened his leadership skills through service opportunities.

Hunter Mansfield Holt, from Desert Hills High School, will be attending the U.S. Military Academy at West Point. In addition to being an Eagle Scout and member of the National Honor Society, Hunter also attended Boys State.

He served as captain of the football team and also lettered in wrestling. He has been an active member of the student council and is currently serving as the senior class vice president, all while earning high honor roll recognition.

Russell Isaac Landes will be returning to the U.S. Military Academy at West Point after spending the past 2 years serving in the Taiwan Taipei Mission for the Church of Jesus Christ of Latter-day Saints. As an Eagle Scout and a recognized leader among his peers, Russell honed his skills as the student body president of the American Leadership Academy, where he was also captain of the wrestling team.

Kylee Paige Madsen will be attending the U.S. Merchant Marine Academy in Kings Point, NY. Kylee will soon graduate from the Northern Utah Academy for Math, Engineering and Science, NUAMES, where she was president of the student outreach and service club. As a member of the National Honor Society and with an eye for community service, Kylee served local veterans and worked to turn an abandoned home into a youth homeless shelter. Kylee was also honored to be elected governor of Girls State.

John Hawkins Romney will be returning to the U.S. Air Force Academy after 2 years of speaking Korean as a missionary for the Church of Jesus Christ of Latter-day Saints in the Korea Busan Mission. As a graduate of Lone Peak High School, John was a member of the National Honor Society. He is an Eagle Scout and worked on the Veteran's Memorial in Alpine City cemetery. John's brother will graduate from the Air Force Academy in 2017.

William Patrick Ryan, III, from Judge Memorial Catholic High School, will be attending the U.S. Naval Academy. At Judge Memorial, William distinguished himself in student government as student body president and previously as the freshman, sophomore, and junior class president. He lettered in football, track, and men's dance. William was elected a member of the peer ministry, a member of National Honor Society, and served as a volunteer for disabled youth and adults at Camp Kostopulos.

Grace Elizabeth Santella, a graduate of Davis High School and current Weber State University student, has accepted an appointment to the U.S. Naval Academy. Grace worked hard to earn this appointment and prepare for the academy. She was a member of the National Honor Society and took many AP and college classes. Grace also served as captain of both the swim team, where she was named "Swimmer of the Year," and a championship competitive soccer team.

It has been an honor and inspiration to speak to and nominate each of these exemplary young men and women. Doing so has given me an unshakeable confidence in the future of this great Nation and future of our Armed Services.

To these 10 students and to all their future classmates from around the country, do not forget: this is but the beginning of your journey.

You would not have arrived at this point were it not for your hard work and sacrifice, but now what matters most is not your accomplishments of the past, it is what you have yet to achieve in the future.

Thank you.●

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

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

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

PRESIDENTIAL MESSAGE

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13303 OF MAY 22, 2003, WITH RESPECT TO THE STABILIZATION OF IRAQ—PM 7

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to the stabilization of Iraq that was declared in Executive Order 13303 of May 22, 2003, is to continue in effect beyond May 22, 2017.

Obstacles to the orderly reconstruction of Iraq, the restoration and maintenance of peace and security in the country, and the development of political, administrative, and economic institutions in Iraq continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. Accordingly, I

have determined that it is necessary to continue the national emergency with respect to the stabilization of Iraq.

DONALD J. TRUMP.
THE WHITE HOUSE, May 16, 2017.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 392. A bill to establish the 400 years of African-American History Commission, and for other purposes (Rept. No. 115-63).

S. 502. A bill to modify the boundary of Voyageurs National Park in the State of Minnesota, and for other purposes (Rept. No. 115-64).

S. 508. A bill to provide for the conveyance of certain Federal land in the State of Oregon, and for other purposes (Rept. No. 115-65).

S. 513. A bill to designate the Frank and Jeanne Moore Wild Steelhead Special Management Area in the State of Oregon (Rept. No. 115-66).

S. 590. A bill to authorize the Secretary of Agriculture to maintain or replace certain facilities and structures for commercial recreation services at Smith Gulch in Idaho, and for other purposes (Rept. No. 115-67).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

H.R. 558. A bill to adjust the boundary of the Kennesaw Mountain National Battlefield Park to include the Wallis House and Harriston Hill, and for other purposes (Rept. No. 115-68).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

H.R. 698. A bill to require a land conveyance involving the Elkhorn Ranch and the White River National Forest in the State of Colorado, and for other purposes (Rept. No. 115-69).

H.R. 863. A bill to facilitate the addition of park administration at the Coltsville National Historical Park, and for other purposes (Rept. No. 115-70).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 131. A bill to provide for the exchange of certain National Forest System land and non-Federal land in the State of Alaska, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. CORKER for the Committee on Foreign Relations.

*John J. Sullivan, of Maryland, to be Deputy Secretary of State.

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

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

*Foreign Service nominations beginning with Jeanne F. Bailey and ending with Robert Henry Hanson, which nominations were

received by the Senate and appeared in the Congressional Record on April 25, 2017.

*Foreign Service nomination of Scott S. Sindelar.

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

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. PAUL (for himself, Mr. LEAHY, and Mr. MERKLEY):

S. 1127. A bill to amend title 18, United States Code, to prevent unjust and irrational criminal punishments; to the Committee on the Judiciary.

By Mr. PETERS (for himself and Ms. COLLINS):

S. 1128. A bill to expand the Staffing for Adequate Fire and Emergency Response grant program to include grants for the support of changing the status of part-time or paid on call firefighters to full-time firefighters, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SULLIVAN (for himself, Mr. THUNE, and Mr. NELSON):

S. 1129. A bill to authorize appropriations for the Coast Guard, and for other purposes; to the Committee on Commerce, Science, and Transportation.

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

S. 1130. A bill to amend title XVIII of the Social Security Act to create a sustainable future for rural healthcare; to the Committee on Finance.

By Ms. BALDWIN (for herself and Mr. MCCAIN):

S. 1131. A bill to require reporting regarding certain drug price increases, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASSIDY (for himself, Ms. KLOBUCHAR, and Mr. KING):

S. 1132. A bill to amend title XVIII of the Social Security Act to make permanent the removal of the rental cap for durable medical equipment under the Medicare program with respect to speech generating devices; to the Committee on Finance.

By Mr. LANKFORD (for himself, Mr. BARRASSO, Mr. CORNYN, Mr. BOOZMAN, Mr. CASSIDY, Mr. COTTON, Mr. CRAPO, Mr. INHOFE, Mr. TILLIS, and Mr. YOUNG):

S. 1133. A bill to repeal changes made by health care reform laws to the Medicare exception to the prohibition on certain physician referrals for hospitals, and for other purposes; to the Committee on Finance.

By Mr. CORNYN (for himself, Mr. CRUZ, Mr. TILLIS, Mr. BLUNT, Mr. BOOZMAN, Mrs. CAPITO, Mr. DAINES, Mrs. FISCHER, Mr. HELLER, Mr. PERDUE, Mr. PORTMAN, Mr. RUBIO, Mr. SULLIVAN, Mr. STRANGE, and Mr. CASSIDY):

S. 1134. A bill to protect law enforcement officers, and for other purposes; to the Committee on the Judiciary.

By Ms. WARREN (for herself, Ms. HIRONO, Mr. BROWN, and Mr. MURPHY):

S. 1135. A bill to amend the Higher Education Act of 1965 to clarify the Federal Pell

Grant duration limits of borrowers who attend an institution of higher education that closes or commits fraud or other misconduct, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. HIRONO (for herself, Mrs. MURRAY, Mr. REED, Mr. WHITEHOUSE, Ms. WARREN, and Mr. SCHATZ):

S. 1136. A bill to improve the structure of the Federal Pell Grant program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARDIN:

S. 1137. A bill to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to include provisions relating to drinking water and wastewater infrastructure, and for other purposes; to the Committee on Environment and Public Works.

By Mr. TESTER:

S. 1138. A bill to rescind \$500,000 a week from the Office of the Secretary of Education until the Secretary of Education reconsiders Upward Bound applications that were rejected due to arbitrary formatting issues; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TESTER (for himself, Mr. MORAN, and Ms. HEITKAMP):

S. 1139. A bill to amend the Financial Stability Act of 2010 to modify the requirements of stress tests; to the Committee on Banking, Housing, and Urban Affairs.

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

S. 1140. A bill to repeal the Congressional Review Act, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. SHAHEEN (for herself and Mrs. CAPITO):

S. 1141. A bill to ensure that the United States promotes the meaningful participation of women in mediation and negotiation processes seeking to prevent, mitigate, or resolve violent conflict; to the Committee on Foreign Relations.

By Mr. CASSIDY:

S. 1142. A bill to extend the deadline for commencement of construction of certain hydroelectric projects; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Ms. COLLINS (for herself, Mr. BROWN, Mr. COTTON, Mr. KENNEDY, Mr. BLUNT, Mr. HOEVEN, Mr. DAINES, Mr. HATCH, Mr. WICKER, Mr. ISAKSON, Mr. DURBIN, Mr. CARPER, Ms. WARREN, Mr. WYDEN, Mr. HEINRICH, Mrs. SHAHEEN, Mr. COONS, Mrs. MURRAY, Mr. UDALL, Mr. BOOKER, Mrs. FEINSTEIN, Ms. HIRONO, Mr. BLUMENTHAL, Ms. HASSAN, Mr. VAN HOLLEN, Ms. KLOBUCHAR, and Mr. DONNELLY):

S. Res. 163. A resolution recognizing the roles and contributions of the teachers of the United States in building and enhancing the civic, cultural, and economic well-being of the United States; considered and agreed to.

By Mr. WHITEHOUSE (for himself, Mr. CASSIDY, Mr. DURBIN, Mrs. FEINSTEIN, Ms. BALDWIN, Mrs. COLLINS, Ms. HIRONO, Ms. WARREN, Ms. HASSAN, Mr. BLUNT, Mr. KING, Mr. COONS, and Mrs. SHAHEEN):

S. Res. 164. A resolution recognizing the contributions of senior volunteers and designating the week of May 15 through 19, 2017, as "National Senior Corps Week"; considered and agreed to.

By Mr. RISCH (for himself, Mrs. SHAHEEN, Mr. GARDNER, Mr. MARKEY, Mr. INHOFE, Mr. COONS, Mr. ENZI, Ms. HIRONO, Mrs. CAPITO, Ms. CANTWELL, Mrs. ERNST, Ms. HEITKAMP, Mr. KENNEDY, Mr. BOOKER, Mr. RUBIO, Mr. CARDIN, Mr. YOUNG, Ms. DUCKWORTH, Mr. ROUNDS, Mr. SCOTT, and Mr. HOEVEN):

S. Res. 165. A resolution celebrating April 30 through May 6, 2017, as "National Small Business Week" and commending the entrepreneurial spirit of small businesses owners in the United States; considered and agreed to.

By Mr. WICKER (for himself, Mr. MERKLEY, Mr. TILLIS, and Mr. BOOZMAN):

S. Res. 166. A resolution supporting the goals and ideals of National Nurses Week, to be observed from May 6 through May 12, 2017; considered and agreed to.

ADDITIONAL COSPONSORS

S. 109

At the request of Mr. GRASSLEY, the names of the Senator from Colorado (Mr. BENNET) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 109, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

S. 184

At the request of Mr. WICKER, the name of the Senator from Alabama (Mr. STRANGE) was added as a cosponsor of S. 184, a bill to prohibit taxpayer funded abortions.

S. 203

At the request of Mr. BURR, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 203, a bill to reaffirm that the Environmental Protection Agency may not regulate vehicles used solely for competition, and for other purposes.

S. 339

At the request of Mr. NELSON, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor 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. 366

At the request of Mr. ROUNDS, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 366, a bill to require the Federal financial institutions regulatory agencies to take risk profiles and business models of institutions into account when taking regulatory actions, and for other purposes.

S. 379

At the request of Mr. WHITEHOUSE, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 379, a bill to amend title II of the Social Security Act to eliminate the five month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis.

S. 428

At the request of Mr. BENNET, the names of the Senator from Missouri

(Mrs. McCASKILL) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 428, a bill to amend titles XIX and XXI of the Social Security Act to authorize States to provide coordinated care to children with complex medical conditions through enhanced pediatric health homes, and for other purposes.

S. 448

At the request of Mr. BROWN, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 448, a bill to amend title XVIII of the Social Security Act to provide for treatment of clinical psychologists as physicians for purposes of furnishing clinical psychologist services under the Medicare program.

S. 479

At the request of Mr. BROWN, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from North Dakota (Ms. HEITKAMP) were added as cosponsors 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. 568

At the request of Mr. BROWN, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 568, a bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare.

S. 583

At the request of Mr. CORNYN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 583, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize COPS grantees to use grant funds to hire veterans as career law enforcement officers, and for other purposes.

S. 665

At the request of Mr. CASSIDY, the name of the Senator from Alabama (Mr. STRANGE) was added as a cosponsor of S. 665, a bill to amend the Outer Continental Shelf Lands Act to authorize additional lease sales to be added to an approved 5-year leasing program.

S. 712

At the request of Mr. BLUMENTHAL, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 712, a bill to amend title 38, United States Code, to reform the rights and processes relating to appeals of decisions regarding claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 720

At the request of Mr. CARDIN, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cospon-

sor of S. 720, a bill to amend the Export Administration Act of 1979 to include in the prohibitions on boycotts against allies of the United States boycotts fostered by international governmental organizations against Israel and to direct the Export-Import Bank of the United States to oppose boycotts against Israel, and for other purposes.

S. 766

At the request of Mr. MANCHIN, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 766, a bill to amend titles 10 and 32, United States Code, to improve and enhance authorities relating to the employment, use, status, and benefits of military technicians (dual status), and for other purposes.

S. 772

At the request of Mr. MCCAIN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 772, a bill to amend the PROTECT Act to make Indian tribes eligible for AMBER Alert grants.

S. 833

At the request of Mr. TESTER, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 833, a bill to amend title 38, United States Code, to expand health care and benefits from the Department of Veterans Affairs for military sexual trauma, and for other purposes.

S. 836

At the request of Mr. WYDEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 836, a bill to amend the Federal Credit Union Act to exclude a loan secured by a non-owner occupied 1- to 4-family dwelling from the definition of a member business loan, and for other purposes.

S. 860

At the request of Mr. GRASSLEY, the names of the Senator from Florida (Mr. RUBIO) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 860, a bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

S. 867

At the request of Mr. DONNELLY, the names of the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from Illinois (Mr. DURBIN) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 867, a bill to provide support for law enforcement agency efforts to protect the mental health and well-being of law enforcement officers, and for other purposes.

S. 926

At the request of Mrs. ERNST, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 926, a bill to authorize the Global War on Terror Memorial Foundation to establish the National Global War on Terrorism Memorial as a commemorative work in the District of Columbia, and for other purposes.

S. 938

At the request of Mr. PETERS, the name of the Senator from Missouri

(Mrs. McCASKILL) was added as a cosponsor of S. 938, a bill to require notice of cost-free Federal procurement technical assistance in connection with registration of small business concerns in procurement systems.

S. 956

At the request of Mr. CASSIDY, the name of the Senator from Alabama (Mr. STRANGE) was added as a cosponsor of S. 956, a bill to amend the Outer Continental Shelf Lands Act to limit the authority of the President to withdraw areas from oil and gas leasing, and for other purposes.

S. 989

At the request of Mr. BLUNT, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 989, a bill to amend the Public Health Service Act to provide for the participation of pediatric subspecialists in the National Health Service Corps program, and for other purposes.

S. 1057

At the request of Mr. NELSON, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 1057, a bill to amend the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998 to address harmful algal blooms, and for other purposes.

S. 1094

At the request of Mr. RUBIO, the names of the Senator from Louisiana (Mr. KENNEDY) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of S. 1094, a bill to amend title 38, United States Code, to improve the accountability of employees of the Department of Veterans Affairs, and for other purposes.

S. 1114

At the request of Mrs. FEINSTEIN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1114, a bill to nullify the effect of the recent Executive order laying a foundation for discrimination against LGBTQ individuals, women, religious minorities, and others under the pretext of religious freedom.

S. RES. 61

At the request of Mr. MCCAIN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. Res. 61, a resolution calling on the Department of Defense, other elements of the Federal Government, and foreign governments to intensify efforts to investigate, recover, and identify all missing and unaccounted-for personnel of the United States.

S. RES. 102

At the request of Mr. CORNYN, the names of the Senator from Massachusetts (Mr. MARKEY) and the Senator from Arizona (Mr. FLAKE) were added as cosponsors of S. Res. 102, a resolution reaffirming the strategic partnership between the United States and Mexico, and recognizing bilateral cooperation that advances the national security and national interests of both countries.

S. RES. 136

At the request of Mr. MENENDEZ, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. Res. 136, a resolution expressing the sense of the Senate regarding the 102nd anniversary of the Armenian Genocide.

S. RES. 154

At the request of Mr. JOHNSON, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. Res. 154, a resolution promoting awareness of motorcycle profiling and encouraging collaboration and communication with the motorcycle community and law enforcement officials to prevent instances of profiling.

S. RES. 156

At the request of Mr. GRASSLEY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. Res. 156, a resolution recognizing National Foster Care Month as an opportunity to raise awareness about the challenges of children in the foster-care system, and encouraging Congress to implement policy to improve the lives of children in the foster-care system.

S. RES. 161

At the request of Mr. DONNELLY, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. Res. 161, a resolution expressing the sense of the Senate that defense laboratories are on the cutting-edge of scientific and technological advancement, and supporting the designation of May 18, 2017, as "Department of Defense Laboratory Day".

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN (for himself, Mr. CRUZ, Mr. TILLIS, Mr. BLUNT, Mr. BOOZMAN, Mrs. CAPITO, Mr. DAINES, Mrs. FISCHER, Mr. HELLER, Mr. PERDUE, Mr. PORTMAN, Mr. RUBIO, Mr. SULLIVAN, Mr. STRANGE, and Mr. CASSIDY):

S. 1134. A bill to protect law enforcement officers, and for other purposes; to the Committee on the Judiciary.

Mr. CORNYN. 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. 1134

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 "Back the Blue Act of 2017".

SEC. 2. PROTECTION OF LAW ENFORCEMENT OFFICERS.

(a) KILLING OF LAW ENFORCEMENT OFFICERS.—

(1) OFFENSE.—Chapter 51 of title 18, United States Code, is amended by adding at the end the following:

"§ 1123. Killing of law enforcement officers

"(a) DEFINITIONS.—In this section—

"(1) the terms 'Federal law enforcement officer' and 'United States judge' have the meanings given those terms in section 115;

"(2) the term 'federally funded public safety officer' means a public safety officer or judicial officer for a public agency that—

"(A) receives Federal financial assistance; and

"(B) is an agency of an entity that is a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or any territory or possession of the United States, an Indian tribe, or a unit of local government of that entity;

"(3) the term 'firefighter' includes an individual serving as an official recognized or designated member of a legally organized volunteer fire department and an officially recognized or designated public employee member of a rescue squad or ambulance crew;

"(4) the term 'judicial officer' means a judge or other officer or employee of a court, including prosecutors, court security, pretrial services officers, court reporters, and corrections, probation, and parole officers;

"(5) the term 'law enforcement officer' means an individual, with arrest powers, involved in crime or juvenile delinquency control or reduction or enforcement of the laws;

"(6) the term 'public agency' includes a court system, the National Guard of a State to the extent the personnel of that National Guard are not in Federal service, and the defense forces of a State authorized by section 109 of title 32; and

"(7) the term 'public safety officer' means an individual serving a public agency in an official capacity, as a law enforcement officer, as a firefighter, as a chaplain, or as a member of a rescue squad or ambulance crew.

"(b) OFFENSE.—It shall be unlawful for any person to—

"(1) kill, or attempt or conspire to kill—

"(A) a United States judge;

"(B) a Federal law enforcement officer; or

"(C) a federally funded public safety officer while that officer is engaged in official duties, or on account of the performance of official duties; or

"(2) kill a former United States judge, Federal law enforcement officer, or federally funded public safety officer on account of the past performance of official duties.

"(c) PENALTY.—Any person that violates subsection (b) shall be fined under this title and imprisoned for not less than 10 years or for life, or, if death results, shall be sentenced to not less than 30 years and not more than life, or may be punished by death."

(2) TABLE OF SECTIONS.—The table of sections for chapter 51 of title 18, United States Code, is amended by adding at the end the following:

"1123. Killing of law enforcement officers."

(b) ASSAULT OF LAW ENFORCEMENT OFFICERS.—

(1) OFFENSE.—Chapter 7 of title 18, United States Code, is amended by adding at the end the following:

"§ 120. Assaults of law enforcement officers

"(a) DEFINITION.—In this section, the term 'federally funded State or local law enforcement officer' means an individual involved in crime and juvenile delinquency control or reduction, or enforcement of the laws (including a police, corrections, probation, or parole officer) who works for a public agency (that receives Federal financial assistance) of a State of the United States or the District of Columbia.

"(b) OFFENSE.—It shall be unlawful to assault a federally funded State or local law enforcement officer while engaged in or on

account of the performance of official duties, or assaults any person who formerly served as a federally funded State or local law enforcement officer on account of the performance of such person's official duties during such service, or because of the actual or perceived status of the person as a Federally funded state or local law enforcement officer.

"(c) PENALTY.—Any person that violates subsection (b) shall be subject to a fine under this title and—

"(1) if the assault resulted in bodily injury (as defined in section 1365), shall be imprisoned not less than 2 years and not more than 10 years;

"(2) if the assault resulted in substantial bodily injury (as defined in section 113), shall be imprisoned not less than 5 years and not more than 20 years;

"(3) if the assault resulted in serious bodily injury (as defined in section 1365), shall be imprisoned for not less than 10 years;

"(4) if a deadly or dangerous weapon was used during and in relation to the assault, shall be imprisoned for not less than 20 years; and

"(5) shall be imprisoned for not more than 1 year in any other case.

"(d) CERTIFICATION REQUIREMENT.—

"(1) IN GENERAL.—No prosecution of any offense described in this section may be undertaken by the United States, except under the certification in writing of the Attorney General, or a designee, that—

"(A) the State does not have jurisdiction;

"(B) the State has requested that the Federal Government assume jurisdiction;

"(C) the verdict or sentence obtained pursuant to State charges left demonstratively unvindicated the Federal interest in eradicating bias-motivated violence; or

"(D) a prosecution by the United States is in the public interest and necessary to secure substantial justice.

"(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to limit the authority of Federal officers, or a Federal grand jury, to investigate possible violations of this section.

"(e) STATUTE OF LIMITATIONS.—

"(1) OFFENSES NOT RESULTING IN DEATH.—Except as provided in paragraph (2), no person shall be prosecuted, tried, or punished for any offense under this section unless the indictment for such offense is found, or the information for such offense is instituted, not later than 7 years after the date on which the offense was committed.

"(2) OFFENSES RESULTING IN DEATH.—An indictment or information alleging that an offense under this section resulted in death may be found or instituted at any time without limitation."

(2) TABLE OF SECTIONS.—The table of sections for chapter 7 of title 18, United States Code, is amended by adding at the end the following:

"120. Killing of law enforcement officers."

(c) FLIGHT TO AVOID PROSECUTION FOR KILLING LAW ENFORCEMENT OFFICIALS.—

(1) OFFENSE.—Chapter 49 of title 18, United States Code, is amended by adding at the end the following:

"§ 1075. Flight to avoid prosecution for killing law enforcement officials

"(a) OFFENSE.—It shall be unlawful for any person to move or travel in interstate or foreign commerce with intent to avoid prosecution, or custody or confinement after conviction, under the laws of the place from which the person flees or under section 1114 or 1123, for a crime consisting of the killing, an attempted killing, or a conspiracy to kill a Federal judge or Federal law enforcement officer (as those terms are defined in section 115), or a federally funded public safety officer (as that term is defined in section 1123).

“(b) PENALTY.—Any person that violates subsection (a) shall be fined under this title and imprisoned for not less than 10 years, in addition to any other term of imprisonment for any other offense relating to the conduct described in subsection (a).”.

(2) TABLE OF SECTIONS.—The table of sections for chapter 49 of title 18, United States Code, is amended by adding at the end the following:

“1075. Flight to avoid prosecution for killing law enforcement officials.”.

SEC. 3. SPECIFIC AGGRAVATING FACTOR FOR FEDERAL DEATH PENALTY KILLING OF LAW ENFORCEMENT OFFICER.

(a) AGGRAVATING FACTORS FOR HOMICIDE.—Section 3592(c) of title 18, United States Code, is amended by inserting after paragraph (16) the following:

“(17) KILLING OF A LAW ENFORCEMENT OFFICER, PROSECUTOR, JUDGE, OR FIRST RESPONDER.—The defendant killed or attempted to kill a person who is authorized by law—

“(A) to engage in or supervise the prevention, detention, or investigation of any criminal violation of law;

“(B) to arrest, prosecute, or adjudicate an individual for any criminal violation of law; or

“(C) to be a firefighter or other first responder.”.

SEC. 4. LIMITATION ON FEDERAL HABEAS RELIEF FOR MURDERS OF LAW ENFORCEMENT OFFICERS.

(a) JUSTICE FOR LAW ENFORCEMENT OFFICERS AND THEIR FAMILIES.—

(1) IN GENERAL.—Section 2254 of title 28, United States Code, is amended by adding at the end the following:

“(j)(1) For an application for a writ of habeas corpus on behalf of a person in custody pursuant to the judgment of a State court for a crime that involved the killing of a public safety officer (as that term is defined in section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796b)) or judge, while the public safety officer or judge was engaged in the performance of official duties, or on account of the performance of official duties by or status as a public safety officer or judge of the public safety officer or judge—

“(A) the application shall be subject to the time limitations and other requirements under sections 2263, 2264, and 2266; and

“(B) the court shall not consider claims relating to sentencing that were adjudicated in a State court.

“(2) Sections 2251, 2262, and 2101 are the exclusive sources of authority for Federal courts to stay a sentence of death entered by a State court in a case described in paragraph (1).”.

(2) RULES.—Rule 11 of the Rules Governing Section 2254 Cases in the United States District Courts is amended by adding at the end the following: “Rule 60(b)(6) of the Federal Rules of Civil Procedure shall not apply to a proceeding under these rules in a case that is described in section 2254(j) of title 28, United States Code.”.

(3) FINALITY OF DETERMINATION.—Section 2244(b)(3)(E) of title 28, United States Code, is amended by striking “the subject of a petition” and all that follows and inserting: “reheard in the court of appeals or reviewed by writ of certiorari.”.

(4) EFFECTIVE DATE AND APPLICABILITY.—

(A) IN GENERAL.—This paragraph and the amendments made by this paragraph shall apply to any case pending on or after the date of enactment of this Act.

(B) TIME LIMITS.—In a case pending on the date of enactment of this Act, if the amendments made by this paragraph impose a time limit for taking certain action, the period of which began before the date of enactment of

this Act, the period of such time limit shall begin on the date of enactment of this Act.

(C) EXCEPTION.—The amendments made by this paragraph shall not bar consideration under section 2266(b)(3)(B) of title 28, United States Code, of an amendment to an application for a writ of habeas corpus that is pending on the date of enactment of this Act, if the amendment to the petition was adjudicated by the court prior to the date of enactment of this Act.

SEC. 5. LIMITATION ON RECOVERY OF CERTAIN DAMAGES FOR INDIVIDUALS ENGAGED IN FELONIES OR CRIMES OF VIOLENCE.

(a) IN GENERAL.—Section 1979 of the Revised Statutes (42 U.S.C. 1983) is amended by—

(1) striking “except that in any action” and all that follows through “relief was unavailable.” and inserting the following: “except that—

“(1) in any action brought against a judicial officer for an act or omission taken in the judicial capacity of that officer, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable; and

“(2) in any action seeking redress for any deprivation that was incurred in the course of, or as a result of, or is related to, conduct by the injured party that, more likely than not, constituted a felony or a crime of violence (as that term is defined in section 16 of title 18, United States Code) (including any deprivation in the course of arrest or apprehension for, or the investigation, prosecution, or adjudication of, such an offense), a court may not award damages other than for necessary out-of-pocket expenditures and other monetary loss.”; and

(2) indenting the last sentence as an undesignated paragraph.

(b) ATTORNEY’S FEES.—Section 722(b) of the Revised Statutes (42 U.S.C. 1988(b)) is amended by striking “except that in any action” and all that follows and inserting the following: “except that—

“(1) in any action brought against a judicial officer for an act or omission taken in the judicial capacity of that officer, such officer shall not be held liable for any costs, including attorneys fees, unless such action was clearly in excess of the jurisdiction of that officer; and

“(2) in any action seeking redress for any deprivation that was incurred in the course of, or as a result of, or is related to, conduct by the injured party that, more likely than not, constituted a felony or a crime of violence (as that term is defined in section 16 of title 18, United States Code) (including any deprivation in the course of arrest or apprehension for, or the investigation, prosecution, or adjudication of, such an offense), the court may not allow such party to recover attorney’s fees.”.

SEC. 6. SELF-DEFENSE RIGHTS FOR LAW ENFORCEMENT OFFICERS.

(a) IN GENERAL.—Chapter 203 of title 18, United States Code, is amended by inserting after section 3053 the following:

“§ 3054. Authority of law enforcement officers to carry firearms

“Any sworn officer, agent, or employee of the United States, a State, or a political subdivision thereof, who is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of law, or to supervise or secure the safety of incarcerated inmates, may carry firearms if authorized by law to do so. Such authority to carry firearms, with respect to the lawful performance of the official duties of a sworn officer, agent, or employee of a State or a political subdivision thereof, shall include possession incident to depositing a

firearm within a secure firearms storage area for use by all persons who are authorized to carry a firearm within any building or structure classified as a Federal facility or Federal court facility, as those terms are defined under section 930, and any grounds appurtenant to such a facility.”.

(b) CARRYING OF CONCEALED FIREARMS BY QUALIFIED LAW ENFORCEMENT OFFICERS.—Section 926B(e)(2) of title 18, United States Code, is amended by inserting “any magazine and” after “includes”.

(c) CARRYING OF CONCEALED FIREARMS BY QUALIFIED RETIRED LAW ENFORCEMENT OFFICERS.—Section 926C(e)(1)(B) of title 18, United States Code, is amended by inserting “any magazine and” after “includes”.

(d) SCHOOL ZONES.—Section 922(q)(2)(B)(vi) title 18, United States Code, is amended by inserting “or a qualified law enforcement officer (as defined in section 926B(c))” before the semicolon.

(e) REGULATIONS REQUIRED.—Not later than 60 days after the date of enactment of this Act, the Attorney General shall promulgate regulations allowing persons described in section 3054 of title 18, United States Code, to possess firearms in a manner described by that section. With respect to Federal justices, judges, bankruptcy judges, and magistrate judges, such regulations shall be prescribed after consultation with the Judicial Conference of the United States.

(f) TABLE OF SECTIONS.—The table of sections for chapter 203 of title 18, United States Code, is amended by inserting after the item relating to section 3053 the following:

“3054. Authority of law enforcement officers to carry firearms.”.

SEC. 7. IMPROVING THE RELATIONSHIP BETWEEN LAW ENFORCEMENT AGENCIES AND THE COMMUNITIES THEY SERVE.

(a) IN GENERAL.—For each of fiscal years 2018 through 2022, the Attorney General using covered amounts shall, using such amounts as are necessary not to exceed \$20,000,000, award grants to State, local, or tribal law enforcement agencies and appropriate non-governmental organizations to—

(1) promote trust and ensure legitimacy among law enforcement agencies and the communities they serve through procedural reforms, transparency, and accountability;

(2) develop comprehensive and responsive policies on key topics relevant to the relationship between law enforcement agencies and the communities they serve;

(3) balance the embrace of technology and digital communications with local needs, privacy, assessments, and monitoring;

(4) encourage the implementation of policies that support community-based partnerships in the reduction of crime;

(5) emphasize the importance of high quality and effective training and education through partnerships with local and national training facilities; and

(6) endorse practices that support officer wellness and safety through the re-evaluation of officer shift hours, including data collection and analysis.

(b) COVERED AMOUNTS DEFINED.—In this section, the term “covered amounts” means—

(1) any unobligated balances made available under the heading “GENERAL ADMINISTRATION” under the heading “DEPARTMENT OF JUSTICE” in an appropriations Act in a fiscal year;

(2) any amounts made available for an “Edward Byrne Memorial criminal justice innovation program” under the heading “STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE” under the heading “OFFICE OF JUSTICE PROGRAMS” under the heading “DEPARTMENT OF JUSTICE” in an appropriations Act in a fiscal year; or

(3) any combination of amounts described in paragraphs (1) and (2).

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 163—RECOGNIZING THE ROLES AND CONTRIBUTIONS OF THE TEACHERS OF THE UNITED STATES IN BUILDING AND ENHANCING THE CIVIC, CULTURAL, AND ECONOMIC WELL-BEING OF THE UNITED STATES

Ms. COLLINS (for herself, Mr. BROWN, Mr. COTTON, Mr. KENNEDY, Mr. BLUNT, Mr. HOEVEN, Mr. DAINES, Mr. HATCH, Mr. WICKER, Mr. ISAKSON, Mr. DURBIN, Mr. CARPER, Ms. WARREN, Mr. WYDEN, Mr. HEINRICH, Mrs. SHAHEEN, Mr. COONS, Mrs. MURRAY, Mr. UDALL, Mr. BOOKER, Mrs. FEINSTEIN, Ms. HIRONO, Mr. BLUMENTHAL, Ms. HASSAN, Mr. VAN HOLLEN, Ms. KLOBUCHAR, and Mr. DONNELLY) submitted the following resolution; which was considered and agreed to:

S. RES. 163

Whereas education and knowledge are the foundation of the current and future strength of the United States;

Whereas teachers and other education staff have earned and deserve the respect of their students and communities for the selfless dedication of the teachers and staff to community service and the futures of the children of the United States;

Whereas the purposes of National Teacher Appreciation Week, celebrated from May 7, 2017, through May 13, 2017, are—

- (1) to raise public awareness of the unquantifiable contributions of teachers; and
- (2) to promote greater respect and understanding for the teaching profession; and

Whereas students, schools, communities, and a number of organizations representing educators are hosting teacher appreciation events in recognition of National Teacher Appreciation Week: Now, therefore, be it

Resolved, That the Senate—

- (1) thanks the teachers of the United States; and

- (2) promotes the profession of teaching by encouraging students, parents, school administrators, and public officials to participate in teacher appreciation events during National Teacher Appreciation Week.

SENATE RESOLUTION 164—RECOGNIZING THE CONTRIBUTIONS OF SENIOR VOLUNTEERS AND DESIGNATING THE WEEK OF MAY 15 THROUGH 19, 2017, AS “NATIONAL SENIOR CORPS WEEK”

Mr. WHITEHOUSE (for himself, Mr. CASSIDY, Mr. DURBIN, Mrs. FEINSTEIN, Ms. BALDWIN, Ms. COLLINS, Ms. HIRONO, Ms. WARREN, Ms. HASSAN, Mr. BLUNT, Mr. KING, Mr. COONS, and Mrs. SHAHEEN) submitted the following resolution; which was considered and agreed to:

S. RES. 164

Whereas volunteers in the United States who are 55 years of age and older (referred to in this preamble as “senior volunteers”) provide much-needed services to their communities, neighbors, and friends;

Whereas Senior Corps, through the RSVP, Foster Grandparent, and Senior Companions

programs administered by the Corporation for National and Community Service, provides meaningful opportunities to 250,000 senior volunteers and recruits thousands of additional community volunteers;

Whereas, for more than 5 decades, RSVP volunteers, Foster Grandparents, and Senior Companions have played an important role in strengthening communities by contributing their experience, knowledge, and accomplishments in order to—

- (1) help their neighbors recover from natural and manmade disasters;
- (2) provide nutrition services;
- (3) mentor and tutor schoolchildren;
- (4) support veterans and military families; and
- (5) provide respite care to caregivers;

Whereas, in 2016, Senior Corps volunteers provided 75,000,000 hours of direct service through more than 28,000 nonprofit, educational, and faith-based community groups nationwide;

Whereas structured volunteering by senior volunteers—

- (1) keeps those senior volunteers active, healthy, and engaged;
- (2) helps the United States by saving taxpayer dollars and reducing health care costs; and
- (3) supports the ability of seniors to live independent and productive lives;

Whereas the RSVP, Foster Grandparent, and Senior Companion programs have proven to be cost-effective ways to engage senior volunteers in service that meets pressing community needs;

Whereas the United States should expand senior volunteer service opportunities to take advantage of the talents and experiences of the 10,000 baby boomers who will retire each day for the next 20 years; and

Whereas, at a time of mounting social need and growing interest in service by older individuals in the United States, the United States has an unprecedented opportunity to harness the talents of senior volunteers to address community challenges: Now, therefore, be it

Resolved, That the Senate—

- (1) designates the week of May 15 through 19, 2017, as “National Senior Corps Week”; and

- (2) encourages the people of the United States to recognize the contributions of senior volunteers and join in the celebration of National Senior Corps Week.

SENATE RESOLUTION 165—CELEBRATING APRIL 30 THROUGH MAY 6, 2017, AS “NATIONAL SMALL BUSINESS WEEK” AND COMMENDING THE ENTREPRENEURIAL SPIRIT OF SMALL BUSINESSES OWNERS IN THE UNITED STATES

Mr. RISCH (for himself, Mrs. SHAHEEN, Mr. GARDNER, Mr. MARKEY, Mr. INHOFE, Mr. COONS, Mr. ENZI, Ms. HIRONO, Mrs. CAPITO, Ms. CANTWELL, Mrs. ERNST, Ms. HEITKAMP, Mr. KENNEDY, Mr. BOOKER, Mr. RUBIO, Mr. CARDIN, Mr. YOUNG, Ms. DUCKWORTH, Mr. ROUNDS, Mr. SCOTT, and Mr. HOEVEN) submitted the following resolution; which was considered and agreed to:

S. RES. 165

Whereas 2017 marks the 54th anniversary of National Small Business Week;

Whereas every President for more than ½ a century has proclaimed a week celebrating the significance of small businesses across the United States;

Whereas, as of May 2017, there are over 28,000,000 small businesses in the United States;

Whereas small businesses in the United States—

- (1) employ nearly ½ of the workforce of the United States;
- (2) comprise 99.7 percent of all employers in the United States;
- (3) employ veterans, and since 2007, 9.3 percent of all business owners have been veterans;
- (4) produce ½ of all exports of the United States; and
- (5) account for nearly ½ of private sector output;

Whereas, on July 30, 1953, Congress established the Small Business Administration to aid, counsel, assist, and protect the small business community;

Whereas 2 of every 3 new jobs are created by small businesses; and

Whereas the President designated the week of April 30 through May 6, 2017, as “National Small Business Week”: Now, therefore, be it

Resolved, That the Senate—

- (1) supports the designation of the week of April 30 through May 6, 2017, as “National Small Business Week”;
- (2) celebrates the entrepreneurial spirit of small business owners in the United States;
- (3) recognizes the importance of creating a small business climate that allows for sustained, entrepreneurial success;
- (4) celebrates the invaluable contribution that small businesses make to the United States as the backbone of the economy; and
- (5) supports increasing consumer awareness of the value and opportunity that small businesses bring to local communities.

SENATE RESOLUTION 166—SUPPORTING THE GOALS AND IDEALS OF NATIONAL NURSES WEEK, TO BE OBSERVED FROM MAY 6 THROUGH MAY 12, 2017

Mr. WICKER (for himself, Mr. MERKLEY, Mr. TILLIS, and Mr. BOOZMAN) submitted the following resolution; which was considered and agreed to:

S. RES. 166

Whereas, beginning in 1991, National Nurses Week is celebrated annually from May 6, also known as “National Recognition Day for Nurses”, through May 12, the birthday of Florence Nightingale, the founder of modern nursing;

Whereas National Nurses Week is a time of year to reflect on the important contributions that nurses make to provide safe, high-quality health care;

Whereas nurses are known to be patient advocates, acting fearlessly to protect the lives of individuals under the care of the nurses;

Whereas nurses represent the largest single component of the health care profession, with an estimated population of 3,600,000 professionally active nurses in the United States;

Whereas nurses are leading in the delivery of quality care in a transformed health care system that improves patient outcomes and safety;

Whereas the Future of Nursing report of the Institute of Medicine has called for the nursing profession to meet the call for leadership in a team-based delivery model;

Whereas, when nurse staffing levels increase, the risk of patient complications and lengthy hospital stays decreases, resulting in cost savings;

Whereas nurses are experienced researchers, and the work of nurses encompasses a

wide scope of scientific inquiry, including clinical research, health systems and outcomes research, and nursing education research;

Whereas nurses provide culturally and ethnically competent care and are educated to be sensitive to the regional and community customs of individuals needing care;

Whereas nurses are well-positioned to provide leadership to eliminate health care disparities that exist in the United States;

Whereas nurses are the cornerstone of the public health infrastructure, promoting healthy lifestyles and educating communities on disease prevention and health promotion;

Whereas nurses are strong allies to Congress as the nurses help inform, educate, and work closely with legislators to improve the education, retention, recruitment, and practice of all nurses and, more importantly, the health and safety of the patients for whom the nurses care;

Whereas strengthening nursing workforce development programs at all levels, including the number of doctorally prepared faculty members, and providing education to the nurse research scientists who can discover new nursing care models to improve the health status of the diverse population of the United States, are needed;

Whereas nurses touch the lives of the people of the United States from birth to the end of life; and

Whereas nursing has been voted as the most honest and ethical profession in the United States: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Nurses Week, as founded by the American Nurses Association;

(2) recognizes the significant contributions of nurses to the health care system in the United States; and

(3) encourages the people of the United States to observe National Nurses Week with appropriate recognition, ceremonies, activities, and programs to demonstrate the importance of nurses to the everyday lives of patients.

AMENDMENTS SUBMITTED AND PROPOSED

SA 216. Mr. ALEXANDER (for Mr. GRASSLEY) proposed an amendment to the bill S. 419, to require adequate reporting on the Public Safety Officers' Benefits program, and for other purposes.

TEXT OF AMENDMENTS

SA 216. Mr. ALEXANDER (for Mr. GRASSLEY) proposed an amendment to the bill S. 419, to require adequate reporting on the Public Safety Officers' Benefits program, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Public Safety Officers' Benefits Improvement Act of 2017".

SEC. 2. REPORTS.

Section 1205 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796c) is amended—

(1) in subsection (a), by inserting "Rules, regulations, and procedures issued under this part may include regulations based on standards developed by another Federal agency for programs related to public safety officer death or disability claims." before the last sentence;

(2) in subsection (b)—

(A) by inserting "(1)" before "In making"; and

(B) by adding at the end the following:

"(2) In making a determination under section 1201, the Bureau shall give substantial weight to the evidence and all findings of fact presented by a State, local, or Federal administrative or investigative agency regarding eligibility for death or disability benefits.

"(3) If the head of a State, local, or Federal administrative or investigative agency, in consultation with the principal legal officer of the agency, provides a certification of facts regarding eligibility for death or disability benefits, the Bureau shall adopt the factual findings, if the factual findings are supported by substantial evidence.";

(3) by adding at the end the following:

"(e)(1)(A) Not later than 30 days after the date of enactment of this subsection, the Bureau shall make available on the public website of the Bureau information on all death, disability, and educational assistance claims submitted under this part that are pending as of the date on which the information is made available.

"(B) Not less frequently than once per week, the Bureau shall make available on the public website of the Bureau updated information with respect to all death, disability, and educational assistance claims submitted under this part that are pending as of the date on which the information is made available.

"(C) The information made available under this paragraph shall include—

"(i) for each pending claim—

"(I) the date on which the claim was submitted to the Bureau;

"(II) the State of residence of the claimant;

"(III) an anonymized, identifying claim number; and

"(IV) the nature of the claim; and

"(ii) the total number of pending claims that were submitted to the Bureau more than 1 year before the date on which the information is made available.

"(2) Not later than 180 days after the date of enactment of this subsection, the Bureau shall publish on the public website of the Bureau a report, and shall update such report on such website not less than once every 180 days thereafter, containing—

"(A) the total number of claims for which a final determination has been made during the 180-day period preceding the report;

"(B) the amount of time required to process each claim for which a final determination has been made during the 180-day period preceding the report;

"(C) as of the last day of the 180-day period preceding the report, the total number of claims submitted to the Bureau on or before that date for which a final determination has not been made;

"(D) as of the last day of the 180-day period preceding the report, the total number of claims submitted to the Bureau on or before the date that is 1 year before that date for which a final determination has not been made;

"(E) for each claim described in subparagraph (D), a detailed description of the basis for delay;

"(F) as of the last day of the 180-day period preceding the report, the total number of claims submitted to the Bureau on or before that date relating to exposure due to the September 11th, 2001, terrorism attacks for which a final determination has not been made;

"(G) as of the last day of the 180-day period preceding the report, the total number of claims submitted to the Bureau on or before the date that is 1 year before that date relat-

ing to exposure due to the September 11th, 2001, terrorism attacks for which a final determination has not been made;

"(H) for each claim described in subparagraph (G), a detailed description of the basis for delay;

"(I) the total number of claims submitted to the Bureau relating to exposure due to the September 11th, 2001, terrorism attacks for which a final determination was made during the 180-day period preceding the report, and the average award amount for any such claims that were approved;

"(J) the result of each claim for which a final determination was made during the 180-day period preceding the report, including the number of claims rejected and the basis for any denial of benefits;

"(K) the number of final determinations which were appealed during the 180-day period preceding the report, regardless of when the final determination was first made;

"(L) the average number of claims processed per reviewer of the Bureau during the 180-day period preceding the report;

"(M) for any claim submitted to the Bureau that required the submission of additional information from a public agency, and for which the public agency completed providing all of the required information during the 180-day period preceding the report, the average length of the period beginning on the date the public agency was contacted by the Bureau and ending on the date on which the public agency submitted all required information to the Bureau;

"(N) for any claim submitted to the Bureau for which the Bureau issued a subpoena to a public agency during the 180-day period preceding the report in order to obtain information or documentation necessary to determine the claim, the name of the public agency, the date on which the subpoena was issued, and the dates on which the public agency was contacted by the Bureau before the issuance of the subpoena; and

"(O) information on the compliance of the Bureau with the obligation to offset award amounts under section 1201(f)(3), including—

"(i) the number of claims that are eligible for compensation under both this part and the September 11th Victim Compensation Fund of 2001 (49 U.S.C. 40101 note; Public Law 107-42) (commonly referred to as the 'VCF');

"(ii) for each claim described in clause (i) for which compensation has been paid under the VCF, the amount of compensation paid under the VCF;

"(iii) the number of claims described in clause (i) for which the Bureau has made a final determination; and

"(iv) the number of claims described in clause (i) for which the Bureau has not made a final determination.

"(3) Not later than 2 years after the date of enactment of this subsection, and 2 years thereafter, the Comptroller General of the United States shall—

"(A) conduct a study on the compliance of the Bureau with the obligation to offset award amounts under section 1201(f)(3); and

"(B) submit to Congress a report on the study conducted under subparagraph (A) that includes an assessment of whether the Bureau has provided the information required under subparagraph (B)(ix) of paragraph (2) of this subsection in each report required under that paragraph.

"(4) In this subsection, the term 'nature of the claim' means whether the claim is a claim for—

"(A) benefits under this subpart with respect to the death of a public safety officer;

"(B) benefits under this subpart with respect to the disability of a public safety officer; or

"(C) education assistance under subpart 2."

SEC. 3. AGE LIMITATION FOR CHILDREN.

Section 1212(c) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796d-1(c)) is amended—

(1) by striking “No child” and inserting the following:

“(1) IN GENERAL.—Subject to paragraph (2), no child”; and

(2) by adding at the end the following:

“(2) DELAYED APPROVALS.—

“(A) EDUCATIONAL ASSISTANCE APPLICATION.—If a claim for assistance under this subpart is approved more than 1 year after the date on which the application for such assistance is filed with the Attorney General, the age limitation under this subsection shall be extended by the length of the period—

“(i) beginning on the day after the date that is 1 year after the date on which the application is filed; and

“(ii) ending on the date on which the application is approved.

“(B) CLAIM FOR BENEFITS FOR DEATH OR PERMANENT AND TOTAL DISABILITY.—In addition to an extension under subparagraph (A), if any, for an application for assistance under this subpart that relates to a claim for benefits under subpart 1 that was approved more than 1 year after the date on which the claim was filed with the Attorney General, the age limitation under this subsection shall be extended by the length of the period—

“(i) beginning on the day after the date that is 1 year after the date on which the claim for benefits is submitted; and

“(ii) ending on the date on which the claim for benefits is approved.”.

SEC. 4. DUE DILIGENCE IN PAYING BENEFIT CLAIMS.

Subpart 1 of part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796 et seq.) is amended by adding at the end the following:

“SEC. 1206. DUE DILIGENCE IN PAYING BENEFIT CLAIMS.

“(a) IN GENERAL.—The Bureau, with all due diligence, shall expeditiously attempt to obtain the information and documentation necessary to adjudicate a benefit claim filed under this part, including a claim for financial assistance under subpart 2.

“(b) SUFFICIENT INFORMATION UNAVAILABLE.—If a benefit claim filed under this part, including a claim for financial assistance under subpart 2, is unable to be adjudicated by the Bureau because of a lack of information or documentation from a third party, such as a public agency, and such information is not readily available to the claimant, the Bureau may not abandon the benefit claim unless the Bureau has utilized the investigative tools available to the Bureau to obtain the necessary information or documentation, including subpoenas.”.

SEC. 5. PRESUMPTION THAT OFFICER ACTED PROPERLY.

Section 1202 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796a) is amended—

(1) by striking “No benefit” and inserting the following:

“(a) IN GENERAL.—No benefit”; and

(2) by adding at the end the following:

“(b) PRESUMPTION.—In determining whether a benefit is payable under this part, the Bureau—

“(1) shall presume that none of the limitations described in subsection (a) apply; and

“(2) shall not determine that a limitation described in subsection (a) applies, absent clear and convincing evidence.”.

SEC. 6. EFFECTIVE DATE; APPLICABILITY.

The amendments made by this Act shall—

(1) take effect on the date of enactment of this Act; and

(2) apply to any benefit claim or application under part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796 et seq.) that is—

(A) pending before the Bureau of Justice Assistance on the date of enactment; or

(B) received by the Bureau on or after the date of enactment of this Act.

AUTHORITY FOR COMMITTEES TO MEET

Mr. MCCONNELL. Mr. President, I have 5 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, May 16, 2017 at 10 a.m. to conduct a hearing to consider the following nominations: Ms. Sigal Mandelker, to be Under Secretary for Terrorism and Financial Crimes, U.S. Department of Treasury; Ms. Mira Radielovic Ricardel, to be Under Secretary for Export Administration, U.S. Department of Commerce; Mr. Marshall Billingslea, to be Assistant Secretary for Terrorist Financing, U.S. Department of Treasury; and Mr. Heath P. Tarbert to be Assistant Secretary, U.S. Department of Treasury.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Tuesday, May 16, 2017, at 10 a.m., in 215 Dirksen Senate Office Building.

COMMITTEE ON FOREIGN RELATIONS

The Senate Select Committee on Intelligence is authorized to meet during the session of the 115th Congress of the U.S. Senate on Tuesday, May 16, 2017 from 2:15 p.m., in room SH-219 of the Senate Hart Office Building.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS**SUBCOMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE**

The Subcommittee on Transportation and Infrastructure of the Committee on Environment and Public Works is authorized to meet during the session of the Senate on Tuesday, May 16, 2017, at 3:15 p.m., in room 406 of the Dirksen Senate Office Building, to conduct a hearing entitled, “Leveraging Federal Funding; Innovative Solutions for Infrastructure.”

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, in consultation with the chairperson of the Committee on Indian Affairs, pursuant to the provisions of Public Law 114-244, appoints the following individuals to serve as members of the Alyce Spotted Bear and Walter Soboleff Com-

mission on Native Children: Carlyle Begay of Arizona and Melody Staebner of North Dakota.

RESOLUTIONS SUBMITTED TODAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions, which were submitted earlier today: S. Res. 163, S. Res. 164, S. Res. 165, and S. Res. 166.

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

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

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

The resolutions were agreed to.

The preambles were agreed to.

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

ORDERS FOR WEDNESDAY, MAY 17, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, May 17; further, 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; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Brand nomination; finally, that the time until 12 noon be equally divided in the usual form.

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

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator WHITEHOUSE.

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

The Senator from Rhode Island.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, as we know here in Washington, politics is a battlefield as much as it is a debating society. On this battlefield, a new form of political weapon has emerged, one for which the American political system was not well prepared. As Democrats, I can say from our side, we were virtually blind to this weapon in the last election. For my 167th “Time to Wake Up” speech, I am here to discuss this new political weapon: systematic fake news.

Fake news does not just fall like rain from heaven. In its most dangerous form, fake news is weaponized for effect—usually, political effect.

Vladimir Putin's regime in Russia made weaponized fake news a core element of its political manipulation throughout the former Soviet Union and the modern European Union, revving up public ire over rapes that never happened, for instance; planting fake material in politicians' laptops and social media that can then be "exposed," and broadcasting false political propaganda. This phenomenon has been documented in Chairman GRAHAM's recent hearing in our Crime and Terrorism Judiciary Subcommittee, featuring, among other sources, the Center for Strategic and International Studies' "Kremlin Playbook," and it has been documented throughout the proceedings of this year's McCain Institute Sedona Forum. Because of this history of political manipulation, the Putin regime's interference in the 2016 U.S. Presidential election ought to be a wakeup call for America.

Weaponized fake news requires a delivery system, and here is where this connects to climate change. In America, we are particularly vulnerable to such election interference because a robust delivery system for weaponized fake news already exists. Putin doesn't need to build a fake news delivery system in America. The fossil fuel industry already did. Climate denial was the original fake news. They have been at it awhile.

A decade ago, a peer-reviewed academic study of the climate denial apparatus described how this works. The fossil fuel industry sets up an array of "environmental skeptics." But of course they are not just skeptics; they in reality "are predominantly agents of conservative think tanks." These think tanks, in turn, have the "essential role" of providing what the report calls "political insulation for industry," including "for companies such as ExxonMobil". Again quoting this report, the "defining feature" of this apparatus is the "denial of the authenticity of environmental problems." Collectively, this climate denial apparatus creates for the fossil fuel industry "a full scale counter movement" against environmental science. Concluding in the report, "Its major tactic is to manufacture uncertainty."

The Center for Strategic and International Studies' "Kremlin Playbook" report, by comparison, describes Russia's fake news tactic as "to disseminate erroneous information that fosters public confusion." To manufacture uncertainty, "to disseminate erroneous information that fosters public confusion"—do you see the similarity?

If we collapse into fewer words these decade-old findings about the fossil fuel industry climate denial apparatus, here is what you have: front groups who disguise the identity of the real actors and pump out fake news—in their case, the fake news of climate denial.

The tactics and methods of climate science denial are the tactics and methods of weaponized fake news: false front organizations, hidden funding sources, controllable means of communication, mimicry of legitimate groups, personal disparagement of opponents, relentless repetition of lies, and shameless persistence when debunked. You could say that the fake news propagation we face today in America metastasized from climate denial. Climate denial was the original "School for Scoundrels" in these fake news techniques.

To put financial scale to this, Putin's Russia has a \$200 billion annual budget. With that, they funded a significant weaponized fake news effort to influence our Presidential election. But the fossil fuel industry has a \$2 trillion annual budget. The fossil fuel industry fights to protect an annual subsidy in the United States estimated by the International Monetary Fund to be \$700 billion. With stakes like that, the climate denial delivery system the fossil fuel industry could profitably set up in the United States can be very robust and complex, and it is.

Fake news, dark money, and hidden political spending have been the fossil fuel industry's primary political weapons. This creates the problem. Once a fake news delivery system is in place, that system will not necessarily differentiate between different types or sources of fake news. Once that road is open, anyone can travel it with any fake news cargo. The same fake news delivery system that will distribute fake news designed to manipulate American politics for the fossil fuel industry can just as effectively distribute fake news designed to manipulate American elections for Russia or China or Iran. The fake news delivery system is not restricted to any one payload.

The fossil fuel industry also fought hard to create the dark money political spending apparatus that now despoils American politics. They lobbied the Supreme Court for the wretched Citizens United decision. They saw it coming and they were swift at the mark, and they have stopped any effort in Congress at political spending disclosure. They need and depend on dark money to buy influence in Congress.

Here, the problem is the same. Once you tolerate a dark money political spending apparatus in American politics, that dark money apparatus will be just as good at hiding the hand of Vladimir Putin or China or Iran as it is at hiding the hand of the fossil fuel industry. Darkness is darkness, whether it is Charles and David Koch or Vladimir Putin operating in that darkness.

The dangers of fake news, dark money, climate science denial, and foreign interference in our elections are thus all tied together, and they call for an American response. Politics is a battlefield, and dark money and fake news are now assets for our Nation's enemies.

ORDER FOR ADJOURNMENT

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for adjournment occur following the remarks of the Democratic leader.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

FBI INVESTIGATION

Mr. SCHUMER. Mr. President, in a week full of revelation after revelation, on a day when we thought things couldn't get any worse, they have. I was shaken by the report in the New York Times that alleged that the President tried to shut down an active FBI investigation into a close political associate, and we are only 1 day removed from stunning allegations that the President may have divulged classified information to a known adversary.

Concerns about our national security, the rule of law, the independence of our Nation's highest law enforcement agencies are mounting. The country is being tested in unprecedented ways.

I say to all of my colleagues in the Senate: History is watching.

I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 6:15 p.m., adjourned until Wednesday, May 17, 2017, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

COMMODITY FUTURES TRADING COMMISSION

BRIAN D. QUINTENZ, OF OHIO, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR A TERM EXPIRING APRIL 13, 2020, VICE SCOTT O'MALIA, RESIGNED.

EXECUTIVE OFFICE OF THE PRESIDENT

KEVIN ALLEN HASSETT, OF MASSACHUSETTS, TO BE CHAIRMAN OF THE COUNCIL OF ECONOMIC ADVISERS, VICE JASON FURMAN.

DEPARTMENT OF TRANSPORTATION

DEREK KAN, OF CALIFORNIA, TO BE UNDER SECRETARY OF TRANSPORTATION FOR POLICY, VICE BLAIR ANDERSON.

DEPARTMENT OF ENERGY

DAN R. BROUILLETTE, OF TEXAS, TO BE DEPUTY SECRETARY OF ENERGY, VICE ELIZABETH SHERWOOD-RANDALL.

ENVIRONMENTAL PROTECTION AGENCY

SUSAN PARKER BODINE, OF MARYLAND, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE CYNTHIA GILES.

DEPARTMENT OF THE TREASURY

JAMES DONOVAN, OF VIRGINIA, TO BE DEPUTY SECRETARY OF THE TREASURY, VICE SARAH BLOOM RASKIN.

DEPARTMENT OF STATE

DOUG MANCHESTER, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE COMMONWEALTH OF THE BAHAMAS.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

JAMES J. SULLIVAN, JR., OF PENNSYLVANIA, TO BE A MEMBER OF THE OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION FOR A TERM EXPIRING APRIL 27, 2021, VICE THOMASINA ROGERS, TERM EXPIRED.

DEPARTMENT OF VETERANS AFFAIRS

BROOKS D. TUCKER, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF VETERANS AFFAIRS (CONGRESSIONAL AND LEGISLATIVE AFFAIRS), VICE JOAN M. EVANS, RESIGNED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR REAPPOINTMENT AS THE VICE CHAIRMAN OF THE JOINT CHIEFS OF STAFF AND APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 154:

To be general

GEN. PAUL J. SELVA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JAY B. SILVERIA

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. LAURA J. RICHARDSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE JUDGE ADVOCATE GENERAL, UNITED STATES ARMY, AND FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE SERVING AS THE JUDGE ADVOCATE GENERAL, UNDER TITLE 10, U.S.C., SECTIONS 601, 3037, AND 3064:

To be lieutenant general

BRIG. GEN. CHARLES N. PEDE

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. PHILLIP G. SAWYER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. SAMUEL J. PAPARO, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. GREGORY N. HARRIS

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR REAPPOINTMENT AS THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF AND APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 152 AND 601:

To be general

GEN. JOSEPH F. DUNFORD, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. BRIAN D. BEAUDREAULT

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271(D):

To be rear admiral

REAR ADM. (LH) STEVEN J. ANDERSEN
REAR ADM. (LH) PAT DEQUATTRO
REAR ADM. (LH) WILLIAM G. KELLY
REAR ADM. (LH) JOHN P. NADEAU
REAR ADM. (LH) JOANNA M. NUNAN
REAR ADM. (LH) KEITH M. SMITH
REAR ADM. (LH) DAVID G. THROOP

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

DAVID P. HAWORTH

CONFIRMATION

Executive nomination confirmed by the Senate May 16, 2017:

DEPARTMENT OF TRANSPORTATION

JEFFREY A. ROSEN, OF VIRGINIA, TO BE DEPUTY SECRETARY OF TRANSPORTATION.