

S. 1203, a bill to require the Administrator of the Environmental Protection Agency to establish a program under which the Administrator shall defer the designation of an area as a non-attainment area for purposes of the 8-hour ozone national ambient air quality standard if the area achieves and maintains certain standards under a voluntary early action compact plan.

S. 1514

At the request of Mr. BARRASSO, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1514, a bill to amend certain Acts to reauthorize those Acts and to increase protections for wildlife, and for other purposes.

S. 1718

At the request of Mr. KENNEDY, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 1718, a bill to authorize the minting of a coin in honor of the 75th anniversary of the end of World War II, and for other purposes.

S. 1746

At the request of Mr. LEE, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 1746, a bill to require the Congressional Budget Office to make publicly available the fiscal and mathematical models, data, and other details of computations used in cost analysis and scoring.

S. 1870

At the request of Mr. HOEVEN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1870, a bill to amend the Victims of Crime Act of 1984 to secure urgent resources vital to Indian victims of crime, and for other purposes.

S. 1879

At the request of Mr. BARRASSO, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 1879, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 1919

At the request of Mr. BOOKER, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1919, a bill to end the use of body-gripping traps in the National Wildlife Refuge System.

S. 1945

At the request of Mr. MENENDEZ, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1945, a bill to regulate large capacity ammunition feeding devices.

S. 1990

At the request of Mr. TESTER, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 1990, a bill to amend title 38, United States Code, to increase the amounts payable by the Department of Veterans Affairs for dependency and in-

demnity compensation, to modify the requirements for dependency and indemnity compensation for survivors of certain veterans rated totally disabled at the time of death, and for other purposes.

S. 2109

At the request of Mr. CARPER, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2109, a bill to count revenues from military and veteran education programs toward the limit on Federal revenues that certain proprietary institutions of higher education are allowed to receive for purposes of section 487 of the Higher Education Act of 1965, and for other purposes.

S. 2155

At the request of Mr. CRAPO, the names of the Senator from Nevada (Mr. HELLER), the Senator from Delaware (Mr. COONS), the Senator from Missouri (Mr. BLUNT) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 2155, a bill to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes.

S. 2159

At the request of Mrs. GILLIBRAND, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from New Hampshire (Ms. HASSAN) were added as cosponsors of S. 2159, a bill to require covered harassment and covered discrimination awareness and prevention training for Members, officers, employees, interns, fellows, and detailees of Congress within 30 days of employment and annually thereafter, to require a biennial climate survey of Congress, to amend the enforcement process under the Office of Congressional Workplace Rights for covered harassment and covered discrimination complaints, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRASSLEY:

S. 2195. A bill to amend title 28, United States Code, to provide an Inspector General for the judicial branch, and for other purposes; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, to help ensure that our Federal judicial system remains free of corruption, bias, and hypocrisy, today I rise to reintroduce the Judicial Transparency and Ethics Enhancement Act. This important bill would establish within the Judicial branch an Office of Inspector General to assist the Judiciary with its ethical obligations as well as to ensure taxpayer dollars are not lost to waste, fraud, or abuse. Ensuring a fair and independent judiciary is critical to our constitutional system of checks and balances.

During my many years in Congress, I've worked hard to strengthen the oversight role of Federal Inspectors General who serve as the first line of

defense against fraud, waste and abuse. The facts demonstrate that the institution of the Inspector General has been crucial in detecting, exposing and deterring problems within our government. In collaboration with whistleblowers, Inspectors General have been extremely effective in their efforts to expose and help correct these wrongs.

I've come to rely on IGs and whistleblowers to ensure that our tax dollars are spent according to the letter and spirit of the law. And when that doesn't happen, we in Congress need to know about it and take corrective action.

During the past fiscal year, Congress appropriated roughly \$7 billion in taxpayer dollars to support the Federal judiciary. Put in context, the Small Business Administration and the Corporation for National and Community Service each received less funding than the judiciary but both entities have an Office of Inspector General. If we in Congress believed that these entities could use an Inspector General, doesn't it make good sense that the Judiciary would deserve the same assistance?

Beyond fiduciary factors, the current practice of self-regulation of judges with respect to ethics and the judicial code of conduct has time and time again proven inadequate. In fact, in the past seven years, the Senate received articles of impeachment for not one but two Federal judges.

In the first case, former Judge Samuel B. Kent, although charged with multiple counts of sexual assault, pled guilty to obstruction of justice. It took a criminal investigation by the Department of Justice to uncover his false statements made to his colleagues who were assembled to investigate him as well as substantiate the horrendous claims made against him.

In the second case, you will recall that the Senate found former Judge G. Thomas Porteous, Jr. guilty on multiple articles of impeachment, including accepting money from attorneys who had a case pending before him in his court and committing perjury by falsifying his name on bankruptcy filings. This Judge's misbehavior came to light through a federal criminal investigation, after which another judicial committee had to be organized to investigate their fellow judge.

Moreover, in each case the disgraced judge tried to game the system in order to retain his \$174,000 salary. Rather than resign their commissions, each first tried to claim disability status that would allow each to continue to receive payment, even if in prison. Then both played chicken with Congress daring us to strip them of their pay by impeaching and convicting them. I am pleased that we put our foot down and said "No."

The Judicial Transparency and Ethics Enhancement Act would establish an Office of Inspector General for the judicial branch. The IG's responsibilities would include conducting investigations of possible judicial misconduct, investigating waste fraud and

abuse, and recommending changes in laws and regulations governing the federal judiciary. The bill would require the IG to provide the Chief Justice and Congress with an annual report on its activities, as well as refer matters that may constitute a criminal violation to the Department of Justice. Further, the bill establishes important whistleblower protections for judicial branch employees to help keep the judiciary accountable.

Judges are supposed to maintain impartiality. They're supposed to be free from conflicts of interest. An independent watchdog for the federal judiciary will help its members comply with the ethics rules and promote credibility within the judicial branch of government. The Judicial Transparency and Ethics Enhancement Act will not only help ensure continued public confidence in our federal courts and keep them beyond reproach, it will strengthen our judicial branch.

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. 2195

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 "Judicial Transparency and Ethics Enhancement Act of 2017".

SEC. 2. INSPECTOR GENERAL FOR THE JUDICIAL BRANCH.

(a) ESTABLISHMENT AND DUTIES.—Part III of title 28, United States Code, is amended by adding at the end the following:

"CHAPTER 60—INSPECTOR GENERAL FOR THE JUDICIAL BRANCH

"Sec.

"1021. Establishment.

"1022. Appointment, term, and removal of Inspector General.

"1023. Duties.

"1024. Powers.

"1025. Reports.

"1026. Whistleblower protection.

"§ 1021. Establishment

"There is established for the judicial branch of the Government the Office of Inspector General for the Judicial Branch (in this chapter referred to as the 'Office').

"§ 1022. Appointment, term, and removal of Inspector General

"(a) APPOINTMENT.—The head of the Office shall be the Inspector General, who shall be appointed by the Chief Justice of the United States after consultation with the majority and minority leaders of the Senate and the Speaker and minority leader of the House of Representatives.

"(b) TERM.—The Inspector General shall serve for a term of 4 years and may be reappointed by the Chief Justice of the United States for any number of additional terms.

"(c) REMOVAL.—The Inspector General may be removed from office by the Chief Justice of the United States. The Chief Justice shall communicate the reasons for any such removal to both Houses of Congress.

"§ 1023. Duties

"With respect to the judicial branch, the Office shall—

"(1) conduct investigations of alleged misconduct in the judicial branch (other than

the United States Supreme Court) under chapter 16 that may require oversight or other action within the judicial branch or by Congress;

"(2) conduct investigations of alleged misconduct in the United States Supreme Court that may require oversight or other action within the judicial branch or by Congress;

"(3) conduct and supervise audits and investigations;

"(4) prevent and detect waste, fraud, and abuse; and

"(5) recommend changes in laws or regulations governing the judicial branch.

"§ 1024. Powers

"(a) POWERS.—In carrying out the duties of the Office, the Inspector General shall have the power to—

"(1) make investigations and reports;

"(2) obtain information or assistance from any Federal, State, or local governmental agency, or other entity, or unit thereof, including all information kept in the course of business by the Judicial Conference of the United States, the judicial councils of circuits, the Administrative Office of the United States Courts, and the United States Sentencing Commission;

"(3) require, by subpoena or otherwise, the attendance and testimony of such witnesses, and the production of such books, records, correspondence, memoranda, papers, and documents, which subpoena, in the case of contumacy or refusal to obey, shall be enforceable by civil action;

"(4) administer to or take from any person an oath, affirmation, or affidavit;

"(5) employ such officers and employees, subject to the provisions of title 5, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates;

"(6) obtain services as authorized by section 3109 of title 5 at daily rates not to exceed the equivalent rate for a position at level IV of the Executive Schedule under section 5315 of such title; and

"(7) the extent and in such amounts as may be provided in advance by appropriations Acts, to enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, and to make such payments as may be necessary to carry out the duties of the Office.

"(b) CHAPTER 16 MATTERS.—The Inspector General shall not commence an investigation under section 1023(1) until the denial of a petition for review by the judicial council of the circuit under section 352(c) of this title or upon referral or certification to the Judicial Conference of the United States of any matter under section 354(b) of this title.

"(c) LIMITATION.—The Inspector General shall not have the authority to—

"(1) investigate or review any matter that is directly related to the merits of a decision or procedural ruling by any judge, justice, or court; or

"(2) punish or discipline any judge, justice, or court.

"§ 1025. Reports

"(a) WHEN TO BE MADE.—The Inspector General shall—

"(1) make an annual report to the Chief Justice and to Congress relating to the activities of the Office; and

"(2) make prompt reports to the Chief Justice and to Congress on matters that may require action by the Chief Justice or Congress.

"(b) SENSITIVE MATTER.—If a report contains sensitive matter, the Inspector General may so indicate and Congress may receive that report in closed session.

"(c) DUTY TO INFORM ATTORNEY GENERAL.—In carrying out the duties of the Of-

fice, the Inspector General shall report expeditiously to the Attorney General whenever the Inspector General has reasonable grounds to believe there has been a violation of Federal criminal law.

"§ 1026. Whistleblower protection

"(a) IN GENERAL.—No officer, employee, agent, contractor, or subcontractor in the judicial branch may discharge, demote, threaten, suspend, harass, or in any other manner discriminate against an employee in the terms and conditions of employment because of any lawful act done by the employee to provide information, cause information to be provided, or otherwise assist in an investigation regarding any possible violation of Federal law or regulation, or misconduct, by a judge, justice, or any other employee in the judicial branch, which may assist the Inspector General in the performance of duties under this chapter.

"(b) CIVIL ACTION.—An employee injured by a violation of subsection (a) may, in a civil action, obtain appropriate relief."

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters for part III of title 28, United States Code, is amended by adding at the end the following:

"60. Inspector General for the judicial branch 1021".

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 349—COMMEMORATING THE 100TH ANNIVERSARY OF THE 2D INFANTRY DIVISION

Ms. CANTWELL (for herself, Mr. CORNYN, Mr. CRUZ, and Mrs. MURRAY) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 349

Whereas October 26, 2017, is the 100th anniversary of the organization of the 2d Infantry Division;

Whereas the 2d Infantry Division—

(1) was established in October 1917 at Bourmont, France, as the Second Division;

(2) was the first division organized on foreign soil; and

(3) has been proudly serving since 1917;

Whereas, the 2d Infantry Division is the only Army unit that has ever been commanded by a Marine Corps Officer because, at the time of activation, the 2d Infantry Division—

(1) was composed of both Army and Marine units; and

(2) was commanded during World War I by—

(A) Army officers Major General Omar Bundy and Major General James G. Harbord; and

(B) Marine Corps generals Brigadier General Charles A. Doyen and Major General John A. Lejeune;

Whereas, since the heroic start of the 2d Division, the 2d Division has played an integral part in United States history by serving in—

(1) World War I;

(2) World War II;

(3) the Korean War;

(4) the Cold War;

(5) Operation Iraqi Freedom;

(6) Operation Enduring Freedom; and

(7) current operations in Korea;

Whereas, the 2d Infantry Division—

(1) drew its first blood at the Battle of Belleau Wood, France in June 1918; and

(2) contributed to shattering the 4-year-old stalemate on the battlefield during the Chateau-Thierry campaign that followed;