

“(B) the top-ranking transportation official in the State who is charged with responsibility for highway construction;

“(2) be in such form as the agency head may require;

“(3) provide that the State—

“(A) agrees to assume all or part of the responsibilities of the agency head referred to in subsection (a);

“(B) expressly consents, on behalf of the State, to accept the jurisdiction of the Federal courts for the compliance, discharge, and enforcement of any responsibility of the agency head assumed by the State;

“(C) certifies that State laws (including regulations) are in effect that—

“(i) authorize the State to take the actions necessary to carry out the responsibilities being assumed; and

“(ii) are comparable to section 552 of title 5, including providing that any decision regarding the public availability of a document under those State laws is reviewable by a court of competent jurisdiction; and

“(D) agrees to maintain the financial resources necessary to carry out the responsibilities being assumed;

“(4) require the State to provide to the agency head any information the agency head reasonably considers necessary to ensure that the State is adequately carrying out the responsibilities assigned to the State;

“(5) have a term of not more than 5 years; and

“(6) be renewable.

“(d) JURISDICTION.—

“(1) IN GENERAL.—The United States district courts shall have exclusive jurisdiction over any civil action against a State for failure to carry out any responsibility assumed by the State pursuant to this section.

“(2) LEGAL STANDARDS AND REQUIREMENTS.—A civil action under paragraph (1) shall be governed by the legal standards and requirements that would apply in such a civil action against the applicable agency head had the agency head taken the actions in question.

“(3) INTERVENTION.—The applicable agency head shall have the right to intervene in any action described in paragraph (1).

“(e) EFFECT OF ASSUMPTION OF RESPONSIBILITY.—A State that assumes responsibility under subsection (a)(2) shall be solely responsible and solely liable for carrying out, in lieu of, and without further approval of, the applicable agency head, those responsibilities, until the date on which the program is terminated in accordance with subsection (j).

“(f) LIMITATIONS ON AGREEMENTS.—Nothing in this section permits a State to assume any rulemaking authority of the Secretary or the applicable agency head under any Federal law.

“(g) AUDITS.—

“(1) IN GENERAL.—To ensure compliance by a State with an agreement of the State under subsection (c) (including compliance by the State with all Federal laws for which responsibility is assumed under subsection (a)(2)), for each State participating in the program, the applicable agency head shall—

“(A) not later than 180 days after the date of execution of the applicable agreement, meet with the State—

“(i) to review the implementation of the agreement; and

“(ii) to discuss plans for the first annual audit;

“(B) conduct annual audits during each of the first 4 years of State participation in the program; and

“(C) ensure that the time period for completing an annual audit, from initiation to completion (including public comment and

responses to those comments), does not exceed 180 days.

“(2) PUBLIC AVAILABILITY AND COMMENT.—

“(A) IN GENERAL.—An audit conducted under paragraph (1) shall be provided to the public for comment.

“(B) RESPONSE.—Not later than 60 days after the date on which the period for public comment ends, the applicable agency head shall respond to public comments received under subparagraph (A).

“(3) AUDIT TEAM.—

“(A) IN GENERAL.—An audit conducted under paragraph (1) shall be carried out by an audit team determined by the applicable agency head, in consultation with the State, in accordance with subparagraph (B).

“(B) CONSULTATION.—Consultation with the State under subparagraph (A) shall include a reasonable opportunity for the State to review, and provide comments regarding, the proposed members of the audit team.

“(h) MONITORING.—After the end of the fourth year of the participation by a State in the program, the applicable agency head shall monitor compliance by the State with the written agreement under subsection (c), including the provision by the State of financial resources to carry out the written agreement.

“(i) REPORT TO CONGRESS.—The Secretary or the Council shall submit to Congress an annual report that describes the administration of the program during the preceding calendar year.

“(j) TERMINATION.—

“(1) TERMINATION BY AGENCY.—The applicable agency head may terminate the participation of a State in the program if—

“(A) the agency head determines that the State is not adequately carrying out the responsibilities assigned to the State pursuant to this section;

“(B) the agency head provides to the State—

“(i) a notification of the determination of noncompliance;

“(ii) a period of not less than 120 days to take such corrective action as the agency head determines to be necessary to comply with the applicable agreement; and

“(iii) on request of the Governor of the State, a detailed description of each responsibility in need of corrective action regarding an inadequacy identified under subparagraph (A); and

“(C) the State, after the notification and period for corrective action provided under subparagraph (B), fails to take satisfactory corrective action, as determined by the agency head.

“(2) TERMINATION BY STATE.—The State may terminate the participation of the State in the program at any time by providing to the applicable agency head a notice, by not later than the date that is 90 days before the date of termination, subject to such terms and conditions as the agency head may provide.

“(k) CAPACITY BUILDING.—The Council, in cooperation with representatives of State officials, may carry out education, training, peer-exchange, and other initiatives as appropriate—

“(1) to assist States in developing the capacity to participate in the program; and

“(2) to promote information sharing and collaboration among States that are participating in the program.

“(1) RELATIONSHIP TO LOCALLY ADMINISTERED PROJECTS.—A State granted authority under this section may, as appropriate and on the request of a local government—

“(1) exercise that authority on behalf of the local government for a locally administered project; or

“(2) provide guidance and training regarding consolidating and minimizing the docu-

mentation and environmental analyses necessary for sponsors of a locally administered project to comply with—

“(A) section 306108; and

“(B) any comparable requirements under State law.”.

(b) TECHNICAL AMENDMENT.—The table of sections for chapter 3061 of title 54, United States Code, is amended by inserting after the item relating to section 306114 the following:

“306115. Assumption by States of certain responsibilities relating to highway projects.”.

#### AUTHORITY FOR COMMITTEES TO MEET

Ms. MURKOWSKI. Mr. President, I have 11 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:

##### COMMITTEE ON BUDGET

The Committee on Budget is authorized to meet during the session of the Senate on Wednesday, March 21, 2018, at 10:30 a. m. to conduct a hearing.

##### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, March 21, 2018, at 10 a. m. to conduct a hearing.

##### COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, March 21, 2018, at 10 a. m. to conduct a hearing on the following nominations: Kirsten: Dawn Madison, of Florida, to be an Assistant Secretary (International Narcotics and Law Enforcement Affairs), and Thomas J. Hushek, of Wisconsin, to be Ambassador to the Republic of South Sudan, both of the Department of State.

##### COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, March 21, 2018, at 2:30 p. m. to conduct a hearing on S. 1250 and S. 2515.

##### COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, March 21, 2018, at 2:30 p. m. to conduct a hearing entitled “The President's FY2019 Budget Request for Indian Programs.”

##### COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, March 21, 2018, at 10 a. m. to conduct a hearing on the following nominations: Michael Y. Scudder, of Illinois, and Amy J. St. Eve, of Illinois, both to be a United States Circuit Judge for the Seventh Circuit, and Charles J. Williams, to be United States District Judge for the Northern District of Iowa.

## COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Wednesday, March 21, 2018, at 2 p.m. to conduct a hearing.

## SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, March 21, 2018, at 9:30 a.m. to conduct a hearing.

## SUBCOMMITTEE ON SEAPOWER

The Subcommittee on Seapower of the Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, March 21, 2018, at 2:30 p.m. to conduct a hearing on the nomination of John L. Ryder, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority.

## SUBCOMMITTEE ON STRATEGIC FORCES

The Subcommittee on Strategic Forces of the Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, March 21, 2018, at 2:30 p.m. to conduct a hearing on the nomination of John L. Ryder, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority.

## SUBCOMMITTEE ON NEAR EAST, SOUTH ASIA, CENTRAL ASIA, AND COUNTERTERRORISM

The Subcommittee on Near East, South Asia, Central Asia, and Counterterrorism of the Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, March 21, 2018, at 2 p.m. to conduct a hearing entitled "What's Next for Lebanon? Stability and Security Challenges".

## COMMEMORATING THE 150TH ANNIVERSARY OF THE UNIVERSITY OF CALIFORNIA

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 438 and the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 438) commemorating the 150th anniversary of the University of California.

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

Mr. McCONNELL. Mr. President, I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 438) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of March 19, 2018, under "Submitted Resolutions.")

## ORDERS FOR THURSDAY, MARCH 22, 2018

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10:30 a.m., Thursday, March 22; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day. Finally, I ask that following leader remarks, 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.

## 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 Senators GRASSLEY, DURBIN, LEE, and SASSE.

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

The Senator from Nebraska.

## SIMPLE TRUTHS

Mr. SASSE. Mr. President, yesterday at the White House, two terrible things happened, and it shouldn't be difficult to condemn both of these things at once.

First, at the podium in the White House press room, it was suggested that the U.S. Government is unsure if Putin's reelection was perhaps legitimate, free, and fair or that perhaps the United States is morally indifferent to the question of whether Putin's reelection was fair, free, and legitimate.

It was not fair or free or legitimate, and it matters.

The second horrible thing that happened yesterday is that the President's confidential briefing materials for his call with Vladimir Putin were anonymously leaked to the public. That should not happen. The President's congratulatory call was terribly ill-advised, but that doesn't change the fact that the leaking of the confidential briefing materials for his call was also wrong.

It shouldn't be difficult to say both of these things. They are both true. So we should be able to say both of them at once.

Our people are very divided right now. They are unclear about who we are and how we conceive of ourselves on the global stage. Our tribalism has run amok. If you listen to some of our cable news today—I haven't—I suspect that what you would find is that on certain networks there is only discussion of the leaking and no discussion of what a terrible abandonment of American foreign policy yesterday's failure to condemn Putin's phony sham reelection was. And on the other networks, I

imagine you are going to get exactly the opposite story, where the only thing that matters is how stupid this call was to Vladimir Putin, and nothing about the leaks. That isn't helpful for building a nation of 320 million people who know what we stand for together.

Here is what is true. A President's staff shouldn't leak. In cases of principle, you may need to resign. So resign. Do the right and honorable thing if you believe your conscience is compelled to do so, and resign your position and go out and publicly make a case for why a certain policy is failing. But that is a different thing than anonymously leaking the information that a President has—not just this President, but that any President has—to make his or her decisions, to deliberate with their staff, to plot their actions.

Leaks like this weaken us both at home, in terms of public trust in our institutions and our public servants, and they weaken us abroad, in terms of whether or not we have any coherence to who we are as a people and how we make our decisions.

Now, as to this decision to fail to condemn Putin's sham reelection, it is very foolhardy. Vladimir Putin is not a friend. Vladimir Putin is a despot. The President of the United States was wrong to congratulate him, and the White House Press Secretary was wrong to duck a simple question about whether or not Putin's reelection was free and fair.

It was not. The American people know that, the Russian people know that, and the world knows that. Yesterday, when the White House refused to speak directly and clearly about this matter, we were weakened as a nation, and a tyrant was strengthened.

Around the world, there are two great symbols of America from this city. The first is the dome of the Capitol, in which we stand. This building testifies to the strength of our self-government and to our belief in inherent human dignity, but the other symbol that comes from this city that is known around the world is the podium in the White House press room. Tucked into a small room and surrounded by members of a free press, it is simply the free world's biggest megaphone. It symbolizes Americans commitment to the universal dignity not just of 320 million people—the citizens of this country—but to 7.6 billion men, women, and children across the globe.

Speaking clearly about tyrants is one of the things that we do. It is not seeking monsters to destroy. For more than 200 years, the American people have clearly understood this. For more than 200 years, administrations of both parties have clearly understood this.

At times in the past, previous administrations have made mistakes. They have split hairs. They have smoothed edges. They have dodged. They have hedged. But what happened yesterday at the podium at the White House—the dodge on Putin—broke with the basic