have easily guided the justices in resolving this case.

But in a highly unusual order issued days after oral arguments, the justices asked both sides to prepare potential compromises—having a religiously affiliated employer tell an insurer of its objection to birth control coverage, and then having the insurer separately notify employees that it will provide cost-free contraceptives, without any involvement by the employer.

In Monday’s opinion, the court said both sides agreed that a compromise was possible. Without weighing in on the merits of the litigation, the court sent the lawsuits back to the federal appeals courts and told them to prepare and inform the parties to arrive at a compromise going forward that accommodates petitioners’ religious exercise while at the same time ensuring that women covered by petitioners’ health plans receive full and equal health coverage, including contraceptive coverage.

This move solves nothing. Even if these plaintiffs can find their way to an agreement with the government that satisfies their religious objections, there are other employers with religious beliefs who will not be satisfied, and more lawsuits are sure to follow.

The court could have avoided this by affirming the appellate decisions that correctly ruled in the government’s favor. Unfortunately, the justices appear to be evenly split, so they may be facing other significant cases pending before them.

The court’s job is not to propose complicated compromises for individual litigants (final word in interpreting the Constitution and the nation’s laws. Despite what Senate Republicans may say about the lack of harm in the delay in filling the vacated seat, the court cannot do its job without a full bench.

[From the Economist, May 9, 2016]

**WYDEN.** Mr. President, I regret that due to travel delays on my return from Oregon, I missed the vote yesterday on the confirmation of the nominee, Kara Xinis “Well Qualified” to serve on the district court, the highest rating. She has the support of her home State Senators, Senators Mikulski and Cardin. She was voted out of the Judiciary Committee by voice vote on September 19, 2015. In addition, 36 judicial nominees for lower court vacancies that were all voted out of committee by unanimous voice vote are currently on the Executive Calendar. It is important that the Senate work to prioritize filling these vacancies.

**TETT.** Mr. President, I wish to recognize the week of May 15 through 21, 2016, as National Hurricane Preparedness Week.

As each Louisiana knows, the beginning of June marks the beginning of hurricane season, and we are acutely aware of how dangerous and we are acutely aware of how dangerous and devastating these storms can be. As we recognize National Hurricane Preparedness Week, I want to emphasize the importance of making adequate preparations to keep our families and communities safe. While it is impossible to predict when a disaster will strike, being informed, prepared, and having a plan can make all the difference in the world.

The National Hurricane Center recommends that folks take specific steps to prepare, such as creating a plan for your family, buying proper supplies
ahead of time, locating a safe room or the safest areas in your home for each hurricane hazard, making a plan for your pets, and taking First Aid, CPR, or disaster preparedness classes.

On a Federal level, I have been working to realign protective measures. As chairman of the Transportation and Infrastructure Subcommittee, I worked with my Republican and Democrat colleagues on the critically important Water Resources Development Act of 2016, which I recently passed through the Senate Committee on Environment and Public Works. This bill would advance numerous hurricane protection efforts that will make our communities safer and better prepared for such disasters, most notably through the support it provides to coastal restoration efforts in Louisiana. Passing WRDA 2016 is an absolute top priority, and I will continue working to bring it to the Senate floor for a vote in the near future.

Regarding long-term preparedness, I am proud to announce that my bipartisan bill to reauthorize the National Estuary Program is on its way to the President. I was pleased last week that Louisiana’s estuaries create a natural buffer zone and have protected thousands of square miles of land along the coast, including some of the Nation’s busiest ports, high-yielding fisheries, and vast oil and mineral deposits. My bill will ensure that our critical estuaries are restored and preserved so that our coastal communities are better protected ahead of future storms.

Hurricanes are part of life, especially in Louisiana, but diligence and preparation can help reduce their impact on your family, home, and business. I urge you to take hurricane watches and warnings seriously. Please plan ahead for your family’s safety, and encourage your neighbors to do the same.

REMEMBERING SELMER LELAND

Mr. TESTER. Mr. President, today I wish to honor Selmer Leland, a decorated World War I veteran and longtime resident of Kalispell, MT.

Unfortunately Selmer is no longer with us, so I will be presenting his son, Orland Leland, with the medals he earned for his heroic service during World War I.

Orland, on behalf of myself, my fellow Montanans, and my fellow Americans, I would like to acknowledge your father’s heroic service and profound sacrifice. Your father’s gallant service to this Nation and thank you for the sacrifices you have made, losing your father at such a young age.

Selmer was born on February 11, 1943. Fred deployed before his son, Art, was born on February 11, 1943. They also have five children—Dianna, Kevin, Tammy, Sam, and Curt—some of whom are here with us today.

Thank you all for being here to celebrate Selmer’s life, legacy, and history. I have the profound honor of presenting Selmer’s son Orland Leland with his father’s WWI medals: Purple Heart with one bronze oakleaf cluster; World War I Victory Medal with Montdidier Noyon, Aisne-Marne, St. Mihiel and Meuse-Argonne Battle Clasp; and France Service Clasp; and World War I Victory Button—Silver.

Orland, these medals serve as a small token of our country’s appreciation for your father’s heroic service and profound sacrifice.

He is truly an American hero, and we have the utmost gratitude for his service.

REMEMBERING FRED DE ROCHE

Mr. TESTER. Mr. President, today I wish to honor Fred D. De Roche, a decorated World War II veteran, Blackfeet tribal member, and lifelong resident of Browning, MT.

Fred was killed in action, bravely defending this Nation, so I will be presenting his son, Art De Roche, with the medals his father earned during World War II.

Art, on behalf of myself, my fellow Montanans, and my fellow Americans, I would like to acknowledge your father’s gallant service to this Nation and thank you for the sacrifices you have made, losing your father at such a young age.

Fred was born on April 3, 1924, to Charlie and Annie De Roche in Browning, MT. He grew up with many siblings, raising cows and horses on his family’s ranch on the Blackfeet reservation.

He eventually met his wife, Mildred Underbear, and soon after getting married, the couple discovered they were pregnant.

As many of you know, Native Americans have always exhibited a deep and profound love of country, enlisting in the military at higher rates than any other ethnic group.

Fred was different. In fact, Fred had enlisted in the Army earlier that year, alongside his cousin, Billy Wolftail. In the ultimate act of patriotism, Fred deployed before his son, Art, was born on February 11, 1943.

Fred was sent to Belgium, where he served as a private in the Headquarters Company’s 39th Infantry Regiment, 9th Infantry Division.

It was then that Fred earned his Bronze Star Medal on October 15, 1944, for meritorious achievement in active ground combat.

A little more than 2 months later, on December 21, 1944, Fred fought his last battle in courageous service to this great Nation.

He was awarded a Purple Heart for his valor and bravery.