



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, SECOND SESSION

Vol. 162

WASHINGTON, MONDAY, MAY 16, 2016

No. 77

Senate

The Senate met at 2 p.m. and was called to order by the Honorable LISA MURKOWSKI, a Senator from the State of Alaska.

PRAYER

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

Let us pray.

Eternal God, who preserves our Nation with the power of Your might, we lift our hearts in praise. We are grateful for Your unfailing love and faithfulness because Your promises are backed by the honor of Your Name. We place our hope in You and remember daily how You have sustained us in the past.

Lord, give our Senators the wisdom to trust You in the small things, realizing that faithfulness with the least prepares them for fidelity with the much. May they trust You to do what is best for America in good times and in bad. Look down from Heaven on the entire human family and give us Your peace.

We pray in Your great 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 senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 16, 2016.

To the Senate:

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

appoint the Honorable LISA MURKOWSKI, a Senator from the State of Alaska, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Ms. MURKOWSKI thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

NATIONAL POLICE WEEK

Mr. McCONNELL. Madam President, this week we commemorate National Police Week and pay tribute to the local, State, and Federal law enforcement officers who keep our country and our communities safe. We are grateful for their service and for their sacrifice. We benefit from their pledge to serve, protect, and defend.

I had the pleasure recently of meeting with several officers from Richmond, KY, who were in town for the events of police week. I also met with the families of Kentucky police officers who laid down their lives in the line of duty. Tragically, five officers from the Bluegrass State were lost in 2015: on March 5, Lieutenant Clifford Scott Travis of the Bullitt County Detention Center; on March 11, Officer Burke Jevon Rhoads of the Nicholasville Police Department; on June 23, State Trooper Eric Keith Chrisman; on September 13, State Trooper Joseph Cameron Ponder; and on November 6, Senior Patrol Officer Daniel Neil Ellis of the Richmond Police Department.

The names of these five officers, along with the names of hundreds of other brave officers from across the country, have been added to our national monument to law enforcement officers lost in the line of duty—the National Law Enforcement Officers

Memorial. The names of over 500 Kentuckians appear on the memorial, and more than 20,000 names from across the country appear in all.

That includes the four Capitol police officers we have lost in the line of duty since 1994. The Capitol police recently held a ceremony to honor their fallen officers. It reminds us of the continuing sacrifices of the men and women who stand guard every day at the very heart of our democracy. We are grateful for their service.

I am a proud cosponsor of the resolution to recognize National Police Week this year. The resolution recognizes the work of active-duty law enforcement officers, the 25th anniversary of the National Law Enforcement Officers Memorial, the 15th anniversary of 9/11, and all the officers lost in the line of duty in 2015.

I am also a proud cosponsor of the Fallen Heroes Flag Act. This bill would create a program to provide flags that have been flown over the Capitol to the immediate family members of law enforcement and public safety officers who were lost in the line of duty. This bill has passed both the House and the Senate and is awaiting the President's signature.

I am also a cosponsor, with my friend the senior Senator from Texas, of the POLICE Act. The POLICE Act would expand COPS grants so that those grants could be used for active-shooter training and to help equip law enforcement to respond to events like the San Bernardino shootings. Passing the POLICE Act would help give our police officers the training they need to do their jobs more effectively. I am hopeful we can quickly move to this important legislation.

I am proud to represent Kentucky's police officers here in the Senate. Law enforcement is very dangerous work. It is also a noble calling, and I am grateful for the service of every police officer in Kentucky and across the Nation. I know my colleagues share my deep

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



Printed on recycled paper.

S2797

admiration and respect for police officers everywhere.

RECOGNITION OF THE MINORITY LEADER

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

NATIONAL POLICE WEEK

Mr. REID. Madam President, I join the Republican leader in recognizing the contributions of law enforcement officers all around this country. I am sorry that they have such a tough job, and I don't think we appreciate them enough. So I appreciate what the Republican leader said. In Nevada, we too have had our share of these awful instances where these men and women are killed needlessly.

ZIKA VIRUS AND NOMINATION OF MERRICK GARLAND

Mr. REID. Madam President, what we know today is that the Zika virus was first discovered in 1947 in Uganda. It was first detected in monkeys, but in 1947 they also learned that the mosquito was now carrying this same virus the monkeys had. Initially, we didn't know or hear much about Zika. But we have heard plenty now, and we are going to hear a lot more.

Researchers named the virus Zika because that is where the mosquito carrying the virus was discovered, in the Zika Forest of Uganda, as I mentioned. The Ugandan term "zika" means "overgrown." So these mosquitoes with this virus were discovered in an overgrown forest in Uganda. Now, seven decades later, Zika is an international emergency, and countries are scrambling to address the problems created by this mosquito that bites. What I have learned is that there is more than one type of mosquito; there are two.

Already Zika-carrying mosquitoes have transmitted the disease to American citizens in Puerto Rico and other United States territories. Soon, mosquitoes carrying this virus will be biting and infecting people in the continental United States. That is not hyperbole. It is going to happen. Zika-carrying mosquitoes won't be limited to the gulf coast.

Madam President, look at this map. You can't see it very well on this, but you can see the discoloration here, the original coloring that we have. We have the blue, and we have the orange and the gray. Now, I was really surprised. I thought this would really be in the subtropical climates here in the United States, in the southern part of our country. I thought that is where it would be, but you can see that is not the case.

Nevada is here, and Las Vegas is here. There are over 2 million people living there. It is all over the United

States. Boulder, CO, is up here. Puerto Rico and Hawaii are here.

This map is from the Centers for Disease Control and Prevention, and it shows the estimated range of the two types of Zika-carrying mosquitoes. Areas of this map, as I have indicated, are three in color and cover 39 States. Most of these States, as I have indicated, don't have subtropical weather. Nevada, Colorado, Wisconsin, Ohio, Kentucky, New Hampshire, and Maine are listed.

Health officials are desperate to stop Zika, this devastating virus that has been around so long but it was not known to carry all the many problems it now carries. It causes birth defects and other deadly conditions.

Last week, a report on NPR described what Zika does to the brain as it begins to grow. This is one condition:

As the brain . . . starts to grow, it creates pressure, which pushes on the skull and causes it to grow. But if something stops brain growth—such as [the Zika] virus—pressure on the skull drops. And the skull can collapse down onto the brain.

Two weeks ago we had people come to explain this to my caucus, and they described these skulls that just collapse. But Zika isn't only linked to birth defects. As I have indicated, the virus is also associated with a nervous system disorder that can result in paralysis, among other problems.

Yet, in spite of all the devastating impacts of Zika, I am sorry to say, the Republicans in Congress don't see this virus as an urgent issue. Months ago, President Obama requested almost \$2 billion to fight Zika, and for the same months the Republicans have refused to give the money America needs to fight this crisis.

The best time to deal with any crisis is before it is here, but Republicans have dragged their feet. We should have passed an emergency spending bill months ago—months ago. We need to address Zika in the territories and give States and local governments the resources they are begging for.

Last Thursday, appropriators filed an amendment that would provide \$1.1 billion in Zika funding. That simply is not enough. This isn't about negotiating an arbitrary number made up by lawmakers. Our public health officials have made it clear they need that money.

Senate Republicans are giving our government half of what it needs to fight this ravaging virus. This is beyond reckless. House Republicans are even doing less. The chairman of the House Committee on Appropriations last week said that Republicans are working on a Zika funding measure, but what House Republicans are proposing is even less than about half of the already low \$1.1 billion amendment from Senate appropriators.

Republicans are trying to haggle as if this is some sort of bidding war. That is not how Congress should react to a potentially disastrous health crisis. We know what is going on in Puerto Rico.

We know. Because of Republicans' refusal to lift a finger to help fight the Zika crisis, the administration was forced to use Ebola funds in order to fight Zika now. They had to take about \$510 million that was set aside specifically for Ebola.

Two years ago, America was afraid of Ebola. Ebola is still a killer, and we invested in supporting public health infrastructures to prevent future outbreaks like the one we saw, as I indicated, 2 years ago. We need to replenish these monies so we can continue to work on vaccines and other things, but Republicans are standing in the way.

It is really a sad commentary on Republicans that when asked for emergency funding to protect millions of Americans, they respond by offering half of what is needed. This is in a spending bill, and then we have to go to the House and have a conference. In the meantime, people are begging for this money. Republicans should be ashamed that we aren't doing everything in our power to protect the American people from this virus now. We should have an emergency spending bill on the floor now. If it were a flood or a fire that occurred, we would have been here. It is just too bad because this is a crisis that is already here. It is not an emerging crisis. It is here.

Madam President, last week, the Republican leader came to the floor and here is what he said: "We have elections in this country right on time, and that is not an excuse not to do our work."

Again: "We have elections in this country right on time, and that is not an excuse not to do our work."

That is what Senator MCCONNELL said. So I say to my friend from Kentucky: I agree. Elections are no excuse not to do our work. So Senate Republicans should do their job and give Supreme Court nominee Merrick Garland a hearing and a vote.

There is clearly no question that Merrick Garland is experienced and qualified to be a nominee. He is the nominee, and he has the expertise to go along with what a Supreme Court nominee should have. Throughout his decades as a prosecutor and judge, Mr. Garland has proven himself to be committed to the rule of law and following it. That is more than I can say for my Republican colleagues who, by refusing to consider this nominee, are rejecting their constitutional duties.

The Republican leader needs to practice what he preaches. He says that elections shouldn't interfere with our Senate duties. He should prove it. The Republican Senators should prove that. Put aside Presidential elections, put aside Donald Trump, put aside all the phony excuses, and give Merrick Garland the consideration he deserves. Study Judge Garland's questionnaire; it is here. Analyze his record; it is here. Give him a hearing and send his nomination to the floor now.

As the Republican leader put it, "We have elections in this country right on

time, and that is not an excuse not to do our work.” That is absolutely right. I would ask the Republicans to do their job.

Madam President, on the Zika matter, I would add the following: “The news from the House virtually guarantees that the Republican Congress will provide too little aid, too late to address the looming Zika crisis.”

The way things are going around here, the appropriations bills are not going to be finished until right before the end of this fiscal year, late September. The crisis will long have arrived and we will be talking about cases that exist in the continental United States. It is wrong to wait.

I don't see anyone here on the floor, so I would ask the Chair to announce the business of the day.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 4:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The assistant Democratic leader.

ZIKA VIRUS

Mr. DURBIN. Madam President, 3 months ago President Barack Obama asked this Congress for funding to address a public health emergency: combating the Zika Virus. I am pleased that this week, 14 weeks after his request, we are going to respond. We are not responding in full. The President asked for \$1.9 billion to address this serious public health challenge. We are not responding without some theatrics and posturing first, but we are going to vote on some amendments this week, and it is about time.

It has been 14 weeks since representatives from the Centers for Disease Control and Prevention and the National Institutes of Health testified at the Senate Appropriations Committee on the dire need for immediate action to combat the Zika virus.

I visited the Centers for Disease Control about 14 weeks ago. By then, they had been able to verify that the tissue samples from miscarriages and other serious health problems coming in from Brazil were linked to the Zika Virus. So there was no question that these mosquitoes carrying this virus had serious public health consequences—so serious that the Centers for Disease Control dedicated 1,000 staffers to deal with this issue. That was about 12 or 14 weeks ago.

The President used his authority to come to Congress and say: We have a public health emergency; treat it like

it is an emergency. Here we are 14 weeks later getting around to discussing it.

When I think back in times of American history when Congress has been called on to respond to an emergency, there have been amazing examples where partisanship was set aside and people said: In the interest of America, we need to act and act now. Whether we are talking about mobilizing for a war, whether we are talking about responding to terrorism, we have done it. We can do it. This time we have failed. We have failed for 14 weeks. In that period of time, 1,200 Americans in 44 States, Washington, DC, and 3 U.S. territories, including over 110 pregnant women, have contracted Zika. Six more have contracted Guillain-Barre, an autoimmune disorder that can cause paralysis and death. Recently, the first Zika-caused death and the first Zika-related microcephaly cases were reported in Puerto Rico. In my State of Illinois, 16 people have tested positive for Zika, including at least 3 pregnant women.

Over the past few months, we have learned more about Zika and how dangerous it can be. We now know it is carried by two types of mosquitoes. We now know it is linked to serious neurological damage and birth defects in children. We now know it can be sexually transmitted. We also know that the mosquitoes carrying the Zika virus thrive in the warm summer months, which is why this action should have been taken long ago and must be taken this week.

The best way to fight a public health threat such as Zika is to have a strong, stable public health infrastructure in place. That is what the President asked for. That means reliable and stable funding year after year.

Our public health agencies have to be viewed as the first line of defense, just as we view the Pentagon as the first line of defense when it comes to military and terrorist threats. Our public health agencies are the first line of defense when we are speaking of Ebola, the Zika virus, and a variety of other challenges that could literally threaten the health and lives of innocent Americans.

We must ensure robust and stable funding for agencies like the Centers for Disease Control. These invasive problems can pop up at any time. We can't rally to each and every occurrence after it happens; we have to be prepared. The Centers for Disease Control is not only the best, it is the best in the world, but it cannot operate without adequate funding.

The National Institutes of Health is working on a vaccine right now to protect all of us from the Zika virus. That is the answer, but it takes time—a year. We should have been moving on it sooner.

We must provide critical resources to the Food and Drug Administration. Their reviewers are responsible for ensuring that any Zika treatments or

vaccines are safe and effective, and in order to ensure the safety of those vaccines and treatments, they have to be clinically tested.

For years we have heard congressional Republicans rail against Federal spending and even embrace the notion of a sequester—a blind across-the-board cut. Case in point: Over the past few months, we have heard Republicans protest, stall, and push back on providing funding to help combat the Zika virus. There have been a variety of excuses for their delay, but the outcome has always been the same: We have lost time in responding to this public health emergency.

For years, those of us on this side of the aisle have been arguing that this approach—one of starving funding and endless delays—is shortsighted and irresponsible. Yes, we must be good stewards of the taxpayers' dollars, but I would argue that there is no better use of the taxpayers' dollars than investments in public health—investments in the National Institutes of Health, the Centers for Disease Control, and the Food and Drug Administration. These are investments that prepare our Nation for the unforeseen, such as Zika or Ebola, but they are also investments that help us prepare for the foreseen situations that Americans face every day, such as Alzheimer's, cancer, Parkinson's, and diabetes. That is why I introduced the American Cures Act—legislation that would provide our Federal health research agencies reliable and robust funding increases every year into the future.

We are not going to win a war against Zika, Ebola, Alzheimer's, or cancer if our response is tepid, delayed, watered down, or subject to the whims of political fate. Big budget cuts make a good talking point in a speech somewhere, but the results can be devastating.

I look forward to continuing to work with my colleagues on the Senate Appropriations Committee to find a path forward to address the funding of these critical Federal health agencies. There is more to do, and we must do it together. If we don't do it together, we will pay a heavy price.

This week we will take up the issue. We will be voting on three Zika-related amendments this week. The first, offered by Senator NELSON of Florida, is one that I fully support. It would fulfill the President's request by providing the \$1.9 billion in needed funding to ensure an immediate and comprehensive response to Zika. We need to treat this public health emergency like a public health emergency. Senator NELSON's amendment would ensure that the CDC has the money they need to support States in conducting surveillance, vector control, emergency communications, and research. It would ensure that the National Institutes of Health has the money to develop this vaccine, and it would ensure that USAID has the money they need to build up a global health response to Zika.

I am proud to be a cosponsor of the Nelson amendment. It would provide the United States, as well as pregnant women in many affected countries, with the very best chance of minimizing the damage done by the Zika virus. Let's not be penny wise and pound foolish. Cutting back on this money for pregnant women and running the risk that a baby is born with a lifetime of medical challenges and expenses is not a way to save money; it is a disaster for the family and a disaster for our budget.

Then comes the second amendment, offered by Senator CORNYN of Texas. This is a misguided amendment. I urge my colleagues to defeat it. Senator CORNYN's amendment would provide a portion of the funding needed to adequately respond to the Zika virus. He picked the number \$1.1 billion and said: Let's take the money out of the Prevention and Public Health Fund for America—money that is currently being invested to deal with other health challenges around our country. In order to deal with the Zika virus, Senator CORNYN would take money away from other efforts to keep Americans healthy.

The prevention fund accounts for 12 percent—nearly \$900 million—of the Centers for Disease Control's core public health efforts, such as lead poisoning prevention, breast and cervical cancer screening, and tobacco prevention and control. Think about that for a second. Senator CORNYN of Texas wants to take the money out of those areas—legitimate public health concerns—and put it in Zika. He is going to move some of the pieces around on the chessboard in the hope of moving the right one. Sadly, it will endanger innocent people.

There is something else to be considered. His amount is \$1.1 billion, and the President asked for \$1.9 billion. For some reason, Senator CORNYN believes that we can reduce the threat of the Zika virus by 40 percent on the floor of the Senate. I don't buy it. This is a public health emergency. Reducing the funding for it from what the President requested by 40 percent is playing Russian roulette with innocent lives across America and around the world. Senator CORNYN's amendment cuts base funding that would ordinarily be provided to the Centers for Disease Control.

We are also dealing with lead poisoning issues across America, which was yesterday's front-page story in the Chicago Tribune. All of the lead testing around my State of Illinois finds that areas you wouldn't dream of—the suburbs of Chicago, including some of the wealthier suburbs of Chicago—sadly have too much lead in the water. We know that after what happened in Flint, we have to take it seriously. The impact on innocent children is obvious. Cutting back on funding for that to pay for the Zika virus is robbing Peter to pay Paul.

Lastly, we have an amendment that will be offered by Senator BLUNT. It is

like Senator CORNYN's approach in that it would only provide \$1.1 billion, and I take exception to that number. As I said, it is 40 percent less than what the President believes is needed for this emergency, but it would not cut the money out of the prevention fund, so that is a positive thing to say about the Blunt amendment over the Cornyn amendment. This amendment is an improvement, but still, it is important for us to adequately fund public health defense for innocent Americans.

When Dr. Frieden of the CDC tells us how much the CDC needs to fight Zika, I trust the doctor. I do not believe we should second-guess his approach, and I don't believe we should provide the Centers for Disease Control with less money than what Dr. Frieden says is needed.

That said, I appreciate that Senator BLUNT is trying.

I hope the initial amendment by Senator NELSON passes. That is the responsible amendment to deal with the public health emergency.

We have seen Zika coming for months. We had the administration's detailed, comprehensive plan of action sitting up here for over 3 months. The time to act is way overdue.

It is my hope that the Senate will finally approve Zika funding this week and that House Republicans will stop their stalling as well and get to work and do the same. We have lost enough time already.

I yield the floor.

The PRESIDING OFFICER (Mr. BARASSO). The Senator from Alabama.

Mr. SESSIONS. Mr. President, I wish to share some remarks and ask unanimous consent that I be allowed such time as I may consume.

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

Mr. SESSIONS. Mr. President, I appreciate Senator DURBIN's comments, and I believe there is clear bipartisan support for dealing with the Zika virus. And something will be done on that, but make no mistake—there is a disagreement, and our colleagues on the Democratic side, as they always do, just want to add whatever new expense comes up during the year to the deficit of the United States of America.

There are many ways we can save money to pay for new expenditures, and that is what Senator CORNYN is talking about. He wants to have it paid for so we don't add more debt.

You say: How can that be?

Well, we are already in debt. This year we borrowed approximately \$540 billion to fund the government. We spent \$4 trillion and we borrowed \$540 billion of that. That is a very large number. It is unsustainable, and it is getting worse.

We have to start paying for things that we want to do around here and make some choices and set some priorities. That is the entire dispute about this matter, if you want to know the truth about it. There is no way we can't find the money to fund this Zika

challenge—sufficient funds to do that—within the spending we already have.

NOMINATION OF PAULA XINIS

Mr. SESSIONS. Mr. President, I wish to speak in opposition to the nomination of Paula Xinis to the U.S. District Court for the District of Maryland. By all accounts, she is a nice person and has a number of admirers. I don't question her integrity. I had an exchange with her at the Judiciary Committee hearing when she came before the committee. I think this nominee has perhaps the most hostile record toward police of any I have seen in a long time. Her background is troubling to me, and I believe it justifies us not allowing her to have a lifetime appointment where she is unaccountable to anyone as she conducts her daily duties involving, on a very frequent basis, the appearance of police before her in criminal cases of all kinds. She would even hear cases against police officers for misconduct that may come before her over her career.

I was a prosecutor for almost 15 years in Federal court before Federal judges. I was blessed to appear before Federal judges of high quality who gave the prosecutor a fair trial and gave the defendant a fair trial, and that is what we are looking for. I am aware of a lot of Federal judges who have a clear bias against law enforcement and have made the communities less safe, made prosecuting a nightmare, and I don't believe it is good for the legal system. There is nothing you can do about it. A judge can declare that the evidence is insufficient to convict on his or her own motion which nobody can appeal. That is the final word even though a jury, had they been able to hear the case, might have found otherwise.

Yesterday was Peace Officers Memorial Day, and this week is Police Week. We take special occasion each year to remember the service and sacrifice of law enforcement officers and their indispensable role in ensuring law and order in our cities and towns throughout the country.

Too often when something goes wrong on the streets today, the media is quick to point their fingers at the police, and that is why we have an impartial justice system—so that the facts can come out in open court. In my experience, when those facts do come out—and I have had the duty of prosecuting police officers—many more times than not, we learn that the police did everything they could according to the procedures and that the complaints we heard about in the media and through others are not accurate. That is what the facts show us time and time again.

It is critical that we have judges who respect the rights of the accused but also respect the role of law enforcement and the dangers they face on a daily basis.

We have a nominee for the Federal court in Maryland before us, and every police officer in the country needs to know where she stands and how she approaches the duties, responsibilities,

and requirements of the police and how she approaches law enforcement. Will she give them a fair hearing? Aren't they entitled to that?

Ms. Paula Xinis worked as a Federal public defender for the District of Maryland for 13 years; that is, she was on a paid defender's staff who defended the criminals who were being prosecuted in Federal court, those accused for a whole lot of crimes. There is nothing wrong with that. It is a perfectly honorable profession, and I certainly want to emphasize that. For 6 of those 13 years, she simultaneously served as a complaint examiner in the Office of Police Complaints for the District of Columbia here in DC. During the course of her work there, she heard complaints against police officers for conduct as part of their duties. She heard six complaints, and in every one of those cases, every single one, she found against the police officers.

It troubled me, and I asked her some questions about it. In one of the cases, an officer arrested a man who was loitering amidst a group of individuals outside a grocery store while talking on his cell phone. When he was asked to move along, he refused to do so. Then the man became belligerent and repeatedly swore and cursed at the police officer. The officer eventually arrested the man for disorderly conduct. On the panel, Ms. Xinis concluded that the police had harassed the man and found the police officer guilty of misconduct.

When I asked her about this decision at her confirmation hearing in the Judiciary Committee, she said she didn't even know what consequences this finding might have on the career of a police officer as a result of having this on their record.

In 2011, Ms. Xinis began work with her current 11-attorney law firm in Baltimore, where she focuses her practice emphasis on lawsuits against the police. According to her firm's Web site, she and two of her colleagues recently settled a \$5 million police brutality lawsuit. Notably, her firm also represented the family of Freddie Gray, Jr., the 25-year-old man who was arrested on April 12, 2015, for possessing an illegal switchblade and who subsequently tragically died in police custody, causing riots in Baltimore, if my colleagues recall. On September 8, 2015, the suit against the city and the police department, in which her firm represented the plaintiff, settled for \$6.4 million.

This may have been a totally justified settlement. I certainly believe that any death in the custody of a police officer by any accused is entitled to and requires a thorough investigation. But in a big city like Baltimore, when there is civil unrest and huge public attention, cities are under political, if not legal, pressure to reach some sort of financial settlement. This was a tragic case. The details were disputed. But it appears that some of the facts were not clear, certainly.

The point is, Ms. Xinis has built a career of dealing with lawsuits against police and police departments and dealing with complaints against the police. In every complaint case she heard, she ruled against the police, which, frankly, makes me uneasy, as it does many law enforcement officers. When a lawyer sits as a complaint examiner in a case involving alleged police misconduct, the examiner—the judge, almost, in that case—should know and understand the reality of police work and what our people have to do every day to defend us from crime.

I asked her about her findings that the arrest of a loud, cursing loiterer outside a store was police harassment. In other words, the cursing loiterer was OK, but the police officer was wrong.

I would think that someone who has spent their entire professional career in this arena would be familiar with some of the concepts and procedures in policing in cities around the country today.

For example, broken windows policing is well known. I think most people know what broken windows policing is. It is a short-hand way to describe a policy that originally grew and became predominant in New York City under Mayor Rudy Giuliani, and many believe it saved New York City. Crime was surging, disorder was about, the city's financial status was at risk, and they started a systematic smart method of policing, and the murder rate is less than half of what it was in New York City. The entire city has been transformed.

So here she is judging police officers about how to handle confrontations on the street and how to make our communities safer. Shouldn't she know about these things?

Broken windows policing suggests that when law enforcement consistently enforces the law in cases involving minor crimes—not just big crimes but even minor crimes—that consistency helps to prevent major crimes. It is proven to work. It is a major trend. Virtually every city in America does it.

Yes, we have people who are out on the streets causing trouble or risks, and they get their backs up and complain when anybody says anything to them. Police officers have to use judgment. But this police officer, to me, did what one would normally expect him to do. He certainly didn't need to be charged and convicted of harassment.

Her statement that she did not know what "broken windows" was and was not familiar with it I think evidenced a real lack of understanding.

There is concern about this appointment by people who have to deal with this every day. Here is a letter from the Fraternal Order of Police, the Baltimore City lodge, signed by Lieutenant Gene Ryan, President. Again, this is the Baltimore City Fraternal Order of Police:

On behalf of almost 5,000 members of the Baltimore City Fraternal Order of Police,

Lodge #3, I write this letter in extreme opposition to the appointment of Paula Xinis as a United States District Judge in the Federal District Court system.

While on paper, Ms. Xinis appears to be a highly qualified criminal attorney, our membership is urgently concerned about her obvious disdain for the law enforcement profession as expressed time and again through the various court appearances in which she has represented citizens claiming harm caused by police personnel. In fact, her current partnership in the Baltimore firm of Murphy, Falcon, & Murphy itself is of concern as this is a firm well known in our area for hostility toward our profession and our members and, as a result, we question the ability of Ms. Xinis to remain impartial in any Federal cases involving law enforcement.

Senators, we respectfully request that you give consideration to our request to deny the appointment of Paula Xinis to the Federal bench at this time.

I also have a letter from the Maryland State Lodge of the Fraternal Order of Police, President Ismael Vincent Canales. He writes:

As President of the Maryland Fraternal Order of Police and on behalf of over twenty-thousand active and retired law enforcement officers throughout the State of Maryland, I respectfully request that members of the U.S. Senate vote unfavorably on the appointment of Paula Xinis as a Judge to the United States District Court of Maryland.

I believe that Ms. Xinis at this time fails to have the requisite temperament and ability to be fair and impartial on matters that directly affect law enforcement.

And he goes on.

Mr. President, I ask unanimous consent that these two letters be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FRATERNAL ORDER OF POLICE,
BALTIMORE CITY LODGE NO. 3,
Baltimore, MD, May 16, 2016.

TO ALL MEMBERS OF THE UNITED STATES SENATE: On behalf of the almost 5,000 members of the Baltimore City Fraternal Order of Police, Lodge #3, I write this letter in extreme opposition to the appointment of Paula Xinis as a United States District Judge in the Federal District Court system.

While, on paper, Ms. Xinis appears to be a highly qualified criminal attorney, our membership is urgently concerned about her obvious disdain for the law enforcement profession as expressed time and again through the various court appearances in which she has represented citizens claiming harm caused by police personnel. In fact, her current partnership in the Baltimore law firm of Murphy, Falcon & Murphy itself is of concern as this is a firm well known in our area for hostility toward our profession and our members and, as a result, we question the ability of Ms. Xinis to remain impartial in any Federal cases involving law enforcement.

Senators, we respectfully request that you give consideration to our request to deny the appointment of Paula Xinis to the Federal Bench at this time, and any time in the future.

Most sincerely,

LT. GENE RYAN,
President, Baltimore City Fraternal
Order of Police, Lodge #3.

MARYLAND STATE LODGE,
FRATERNAL ORDER OF POLICE,
Baltimore, MD, May 16, 2016.

Hon. JEFF SESSIONS,
Senate Judiciary Committee,
Washington, DC.

DEAR SENATOR JEFF SESSIONS: As President of the Maryland Fraternal Order of Police, and on behalf of the over twenty-thousand active and retired law enforcement officers throughout the State of Maryland, I respectfully request that the members of the United States Senate vote unfavorably on the appointment of Paula Xinis as a Judge to the United States District Court of Maryland.

After careful review and consideration, I believe that Ms. Xinis at this time fails to have the requisite temperament and ability to be fair and impartial on matters that directly affect law enforcement. Based on prior and recent experience, Ms. Xinis has shown a clear bias towards law enforcement which began in her position as a complaint examiner in the Office of Police Complaints for the District of Columbia and culminated with her involvement in the civil suit surrounding the Freddie Gray Case in Baltimore City, MD. Ms. Xinis is clearly a consummate advocate which we commend her for. However, at this time, I do not believe that she has displayed throughout her professional career a sufficient ability to equitably apply the law.

It is for these reasons that I respectfully request that the Senate vote unfavorably on the appointment of Paula Xinis to the United States District Court of Maryland.

Sincerely,

VINCE CANALES.

Mr. SESSIONS. Mr. President, Federal judges decide cases every day that have a significant real world impact on our criminal justice system—sometimes good, sometimes bad.

Let me point out this case. It gives an insight into the kinds of things I saw every day as a prosecutor, and it is happening every day right now in courts all over America.

Here is the case before United States District Judge Royce C. Lamberth. He denied a request by the prosecutor for early release of two top associates of Rayful Edmond III, a notorious drug kingpin in Washington, DC. I think they made a movie about him or a film about him, one of the most notorious gang leaders around. The Washington Post described Judge Lamberth's astonishment when the U.S. Attorney did not object to the drug felon's request for early release. Quote:

The judge rebuked the Office of acting United States attorney Vincent H. Cohen Jr., of the District, saying prosecutors did not give due weight to the criminal history of Butler, 52, the Los Angeles-based cocaine broker and partner of D.C. drug lord Rayful Edmond III, and Jones, 58, one of four top armed enforcers of Edmond's violent trafficking network. The group imported as much as 1,700 pounds of Colombian cocaine a month.

That is almost a ton a month. That is the largest amount I have ever seen. I thought the biggest case I had ever seen was 600 pounds flown in on about 20 plane loads over several months. This is 1,700 pounds a month.

Edmond's organization enabled drug addiction on a scale that until then "was unprecedented and largely unimaginable" in Wash-

ington, Lamberth wrote, and the harm the defendants caused "is immeasurable and in many cases irreversible."

"To put it bluntly, the court is surprised and disappointed by the United States Attorney's decision to not oppose the present motions," Lamberth said.

Quote:

"The court struggles to understand how the government could condone the release of Butler and Jones, each convicted of high-level, sophisticated and violent drug trafficking offenses."

So that is a Federal judge doing their duty. I am not sure where Ms. Xinis would be on this.

Contrast that with many courts across the country that are currently rubberstamping motions for early release for Federal drug trafficking felons under the Sentencing Commission's reductions to the sentencing guidelines that have already occurred and that are impacting the prison population significantly, as we will see. That is according to an October 2015 article in the Los Angeles Times entitled "The face of the federal prison release: A heavy dose of meth, crack, and cocaine."

This is what the article says:

A federal analysis of the expected impact of the first wave of those approved for early release shows 663 prisoners from California had filed for shorter sentences as of late July. Federal judges denied 92 of them.

It looks as though six out of seven were granted.

According to an October 2015 article regarding offenders released in the Pittsburgh area, the U.S. Attorney's Office there "erred on the side of granting" the motions.

So the U.S. attorney's office is not defending the legitimate, original sentence that was imposed. They walk in and just don't—if there is any doubt about it, they just go along with the prisoner's request.

According to a November 2015 article entitled "Upstate NY gang members on secret list of 6,000 freed early from prison," it is happening in New York too.

Quote:

In the Northern District of New York, the [Court, prosecutors, and defense attorneys] agreed on the eligibility of almost all of the inmates, and disagreed on only five cases that became subject to litigation. . . . Of those five cases, a judge ordered early release for three and rejected one. A fifth case is pending.

So out of all the cases, only one was rejected.

Judges have a duty to make sure that they—they don't have to take everything the prosecutor says. The prosecutor sometimes asks for a higher sentence than a judge wants to give, but a judge is equally required to reject a prosecutor's failure to oppose unjustified reductions.

This is, frankly, President Obama's policy, and the policy of the Attorney General, whom he has appointed—Loretta Lynch and Eric Holder before her—basically to cut people's sentences that have been lawfully imposed throughout this country. In my opin-

ion, it is impacting public safety and will continue to do so in the future.

Judges must protect the rights of the accused, absolutely, and give them a fair hearing, as they are required to do, but they must give the people, the police, and the prosecutor the right to a fair trial also. These kind of cases cause concern about who is protecting the public. Would Judge Xinis be more likely to follow the pattern of Judge Royce Lamberth in saying no or go along with these other cases?

Over the past year, our law enforcement officers across the country have been shot at, assaulted, and murdered, too often simply because they wear a badge. Last year we lost 123 police officers—35 in the first 4 months of 2016. Violent crime and murders have increased across the country at alarming rates.

Let me share with my colleagues some of the things we are seeing in trends in violent crime. Recently, the Major Cities Chiefs Police Association, a long-established group, called an emergency meeting to deal with the numbers I am going to share with you today. The numbers I will quote represent the percentage of increase in total murders in the first quarter of this year, 2016, over the first quarter of 2015: Las Vegas, 82 percent increase; Dallas, TX, 73 percent increase; Chicago, 70 percent; Jacksonville, FL, 67 percent; Newark, NJ, 60 percent increase; Miami-Dade, 38 percent; Los Angeles, 33 percent; Atlanta, 20 percent; Baltimore, 10 percent. These are substantial increases in crime.

The FBI Director, Mr. Comey, a long-term experienced law officer, who served at the top of the Department of Justice as a prosecutor, recently said he believes the pushback on police officers—this trend of attacking and blaming police officers—has caused some drawback and reluctance of police officers to take on situations like the guy at the store standing out front that was cursing the police officer. Properly handled, those kinds of things reduce crime. They help violence not to start. Once it gets started, bad things can happen. Oftentimes, somebody gets killed. It is not like on television where somebody punches somebody and they get up and walk away and laugh about it. A good punch breaks teeth, jaws, and can kill. This increase in murder rates is significant, and we have to be aware of it. Lives are at stake, many innocent people. If we get off the right path, we will lose lives as a result of criminal conduct.

Think about some of the cases, such as that of Kate Steinle in California, who was out with her father and was murdered by an illegal immigrant who had been deported multiple times. Judges have to know this isn't a game. We don't want to put anybody in jail, but if we don't maintain order in cities, chaos can result, innocent people will die, and prosperity will be reduced.

According to the FBI statistics released just this year, the number of

violent crimes committed across the country was up in the first half of 2015 compared to the same period of 2014. The number of murders, rapes, assaults, and robberies were up all over the first 6 months of 2015. There was a 6.2-percent increase in murder. Violent crime across America rose 5.3 percent in large cities, and overall violent crime increased 1.7 percent, an increase that followed two consecutive years of decline.

In my judgment, what I am seeing is this is a long-term trend. I think we will continue to see this increase. I wish it weren't so, but I am afraid it is. According to statistics released Friday by the Major Cities Chiefs Police Association, the number of homicides increased in the first months of 2016 in more than two dozen major cities. The Washington Post reports "the numbers were particularly grim for a handful of places—Chicago, Los Angeles, Dallas and Las Vegas—where the numbers of homicides increased in the first three months of 2016. . . ."

The article goes on to quote FBI Director Comey. He said:

I was very worried about it last fall, and I am in many ways more worried, because the numbers are not only going up, they're continuing to go up in most of those cities faster than they were going up last year. Something is happening. I don't know what the answer is, but holy cow, do we have a problem.

He also said before our committee that he remembered the last crime-wave in the seventies and the sixties and how enforcement brought it down dramatically. He said we don't want to forget the lessons we learned previously. Director Comey has further suggested that possible explanations for this spike in violent crime included gang and drug violence. He has also suggested that greater scrutiny of police as they do their duty has possibly changed the way officers and communities interact, something he calls the "viral video effect," which he believes leads to less aggressive policing. Less aggressive policing means more crime and more deaths.

On Mother's Day weekend in Chicago, more than 50 people were shot between Friday afternoon and early Monday. During a 3½-hour period early Saturday, one man was killed and 14 others wounded, as the Chicago Tribune said, "the equivalent of someone being shot every 14 minutes."

According to the Tribune, Police Superintendent Eddie Johnson "saved his harshest criticism for a criminal justice system that he said isn't putting away the city's most dangerous offenders for long enough periods. 'Until we have real truth in sentencing and hold these offenders accountable, this will be the unfortunate reality in the city of Chicago.'"

According to an article in the Washington Post, April 2 of this year, "violence is occurring at levels unseen for years [in Chicago]. In the first quarter of 2016, 141 people were killed, up from

82 last year, according to police department data. The number of shootings surged to 677 from 359 a year earlier. The city is on track to have more than 500 killings this year, which would make this just the third year since 2004 that Chicago topped that figure."

Some say we have too many people in prison. We have heard that. It is certainly our responsibility, in part, in Congress, to set sentencing laws that are smart, that protect the public, don't put too many people in jail, and strike the right balance.

In the early to mid-1980s, Congress passed, in a bipartisan, overwhelming vote, mandatory minimum sentences and sentencing guidelines. They allowed dangerous people to be denied bail on appeal. They allowed people who made frivolous appeals—for the judge to assert that there was no substantial basis for the appeal and he could leave them in jail while they made their appeals because too many people were filing for appeals just to stay out of jail and committed crimes while they were out. All of these are great reforms. They are now under systemic attack. During that entire period of time, the crime rate in America went down. The murder rate in the late nineties was half what it was in 1980. How many good people are alive today because of this improvement in law enforcement? We ended the revolving door, where people were arrested, released, arrested. They came in another time and they are arrested and then they would get out and murder somebody. It was happening all the time. We didn't have the jail capacity to put the people in jail. We didn't have enough police to deal with the surging crime rate. When you have 20-, 30-, 40-percent increases in crime, you are talking about doubling the crime and murder rate in America in 2 or 3 years, after we spent 20 years bringing it down by half.

We have to be sure that what we are doing, colleagues, is smart, and we are not signing death warrants for thousands of American innocent citizens.

Well, what is the prison situation today? Is the population going up? According to the Bureau of Justice Statistics, the rate of imprisonment in the United States is at its lowest in a decade. The Federal prison population—195,914 as of May 12, 2016—is at its lowest level since 2006. Since 2013, the Federal prison population has decreased by over 20,000, and it is projected to continue downward. According to the Federal Bureau of Prisons, the population is projected to drop another 10,000 this year, which will bring it to its lowest levels since 2005. The Bureau of Prisons, which houses prisoners, "projects that the inmate population will continue to decline for the next couple of years, particularly as a result of retroactive changes to sentencing guidelines."

Indeed, the 46,276 Federal drug trafficking inmates made eligible for early release comprise 25 percent of the cur-

rent prison population. Admissions to Federal prisons have declined every year since 2011 and will likely decline further due to the Obama administration's policy directing prosecutors not to charge certain criminal offenses.

I don't think this Congress has a duty to confirm everyone who is appointed by the President. We know the President has hostility toward prisons. He has directed his Attorney General to reduce prison populations, and that is happening. He has directed the Bureau of Prisons to participate in this. He has directed the Attorney General and the Attorney General has agreed and issued policy that rejects Attorney General Thornburgh's policies when I was a U.S. attorney. Basically, the Thornburgh policy was, if a person used a gun during a crime, a bank robbery, or drug dealing, they were required, under the law, to get an additional 5 years' penalty in addition because the goal was to deter people from carrying guns during the criminal act, therefore, having fewer people killed in this country. It actually worked. In my opinion, it was part of the reason for the decline in the murder rate, clearly. You were required to charge them because the law said, if you carried a gun, you must get 5 years in addition to the other penalties. Now the Attorney General tells everybody: Well, prosecutors, you don't have to charge that; in fact, we don't want you to charge too much on these kinds of cases. As a result, the prosecutions are down, drug prosecutions are down 21 percent, and sentencing is down too.

When I asked the Attorney General why the prosecutions of these cases are down so much, she said they are prosecuting bigger cases. I have to say that for the last 50 years, that is the excuse that prosecutors use for having a decline in statistics. They say: Well, we are working bigger cases. But regardless if you are working bigger cases, why are the sentencing numbers down? Presumably, she is saying: We are prosecuting more serious criminals, but the sentences are going down. We are seeing from the prosecutorial end a significant retrenchment or backing off of strong prosecution policy.

A judge who gets a lifetime appointment and is no longer accountable to the American people—or anyone else, for that matter—is not entitled to confirmation if we have doubts about the ability over the years to treat police fairly and protect the public from serious criminals.

Certainly, it does not send a positive message to police and the community in Baltimore, where she will hear cases if confirmed. Last year was the deadliest year in Baltimore's history—344 murders and countless crimes against persons and property.

I believe Ms. Xinis's record demonstrates such a lack of understanding of the reality of law enforcement and the duty of our whole criminal justice system to protect the public as to disqualify her from the Federal bench.

That is why I will oppose the nomination.

I do not believe she lacks the personal qualities or the integrity needed to be a judge or be a successful person throughout her life, whatever job she holds. She certainly has many admirers. I am not questioning that, but her record, as I have discussed, indicates an approach to law enforcement that does not justify the support of a lifetime appointment.

I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

ZIKA VIRUS

Mr. CORNYN. Mr. President, over the past few months the Zika virus has not only spread across the Caribbean and Latin America, but it has become a matter of grave concern in the United States.

Although many of the symptoms are relatively minor, Zika has been found to cause severe birth defects in children if the virus is acquired by a woman of childbearing age who is, in fact, pregnant. In places where the virus has been especially active, experts have found alarming rates of infants born with something called microcephaly—in other words, basically a shrunken skull. Obviously, it is a profoundly damaging birth defect. This is due to the mother being infected by the virus while pregnant.

As the weather continues to warm, Texans are rightly concerned about the continued spread of the virus in our State because it is transmitted primarily by mosquitoes. But it is not just any mosquito but those known to be present in places such as Texas, Florida, Louisiana, and some of the warmer areas. But we don't know if that will always be the case or whether they will expand their range or exactly how this could unroll.

In fact, cases in 11 Texas counties have already been confirmed, including Austin, Houston, and Dallas. One important distinction in these cases is that they are tied to people traveling to Latin America, Puerto Rico, or Central America right now. In other words, there has been no confirmed case, I believe, by the Centers for Disease Control of anybody actually being bitten by a mosquito in the United States and having acquired the Zika virus. But that doesn't mean that it is not potentially dangerous, in fact, for the reasons I have mentioned, along with the fact that we now have at least a couple of cases of confirmed sexual transmission of the Zika virus.

Fortunately, top research and medical facilities in Texas have been work-

ing on ways to prevent the spread of the Zika virus and to protect all Americans from its symptoms. A few months ago, I visited with some of those at the University of Texas Medical Branch at Galveston, where they told me about their work in Brazil studying this virus. As the world leader in mosquito-borne viruses, their research is continually groundbreaking.

In fact, recently the Brazilian Ministry of Health announced a collaboration with researchers at the University of Texas Medical Branch at Galveston to help them develop a Zika virus vaccine. They have also had experience when it comes to tackling other large-scale viruses. Last year UTMB was named one of the first regional Ebola treatment centers in the country, and UTMB researchers went on to develop an effective, quick-acting Ebola vaccine.

When they stressed the urgent need for the United States to approach this virus in a careful and deliberate manner, I listened to what they were telling me. I heard a similar message when I recently visited the Texas Medical Center in Houston. They, too, are medical pioneers and are working to create a rapid test for the virus and to strengthen mosquito control in potential hot spots. Interestingly, this is one of the most important components of dealing with the Zika virus; that is, mosquito control.

Indeed, we will hear more about some of the EPA regulations that are currently in effect which discourage or inhibit the ability of local public health units in places such as Houston, Galveston, and elsewhere to actually control the mosquito population. We will talk more about that later.

But like the researchers in Galveston, these folks at the Texas Medical Center urge congressional action so that our country can be better prepared to handle this potential health crisis, instead of having to react after the fact. When the cases of Ebola were confirmed in Dallas, I remember very clearly how people felt overwhelmed by the fast-developing situation on the ground, so much so that they really did not feel that they were totally prepared ahead of time to deal with it. We don't want to make that mistake twice when it comes to the Zika virus.

Conversations I have had with these Texas institutions, as well as the Secretary of Health and Human Services and the Director of the Centers for Disease Control, the CDC, have underscored to me the need to act with urgency to avert what could become a major public health crisis in this country.

Because States like mine boast a warmer climate and they are in closer proximity to where the mosquitoes that currently carry the Zika virus are located, we will likely serve on the frontline in dealing this summer with this response nationwide.

Congress can't afford to sit back and do nothing. I don't hear anybody say-

ing: Do nothing. I hear everybody saying we need to act clearly, with dispatch, and without unnecessary delay.

But part of what we need to do is to make sure we have a plan in place and that we are executing a plan in a way that maximizes the effectiveness in combatting not only the mosquitoes that carry this virus but also the virus itself. We have to make sure our public health officials on the frontline of research and prevention have the resources they need to get the job done too.

Fortunately, tomorrow, the Senate will vote on several pieces of legislation designed to provide additional Federal funding so public officials can handle this impending crisis head on.

The first proposal is from the President of the United States. President Obama has made a spending request of nearly \$2 billion that isn't paid for. It is emergency funding, meaning that the funding would be deficit-increasing and debt-increasing. Also, the President's proposal to spend \$2 billion comes without very much in the way of a plan about how the administration would use the money. I guess they are asking us to trust them, but, frankly, I think we have a greater responsibility to make sure that the money will be put to good use and that we have appropriated an adequate amount of money—but not more money than is necessary—to deal with this potential crisis.

The second piece of legislation we will vote on is a compromise package that was negotiated between the chairman and the ranking member of the Labor, Health and Human Services Appropriations Subcommittee in a bipartisan and commonsense way. I congratulate Senator BLUNT and Senator MURRAY for working through this in an orderly sort of process, and I commend them on reaching an agreement.

Their compromise bill is basically for \$1.1 billion. In other words, it is not the \$1.9 billion or \$2 billion that the President requested. They thought the \$1.1 billion was a more accurate and justifiable number.

Unfortunately, the legislation that has been negotiated between the chairman and the ranking member of the Labor, Health and Human Services Appropriations Subcommittee is not paid for either. What this would essentially do is borrow from our children and grandchildren to meet the present exigencies of this crisis.

The good news is we have a third option, which I want to talk about briefly. It is a third piece of legislation that I have introduced and which is nearly identical to the Blunt-Murray proposal, the Appropriations subcommittee proposal. It would also provide a compromise of \$1.1 billion in Federal funding targeted toward health care professionals across the country.

But my bill has a key distinction. It is fully paid for. You might ask: Where does that money come from?

When the Affordable Care Act—or ObamaCare, as it has come to be

known—was passed, it included a provision for the Prevention and Public Health Fund. This, again, was part of the Affordable Care Act. The purpose that was stated in the legislation was “to provide for expanded and sustained national investment in prevention and public health programs.” In other words, it could have been tailor-made to deal with this potential Zika crisis.

What I would propose is that we deal with the problem without delay. We appropriate the right amount of money, which both Democrats and Republicans—at least in the Appropriations Committee—have agreed is \$1.1 billion, but that we take available funds and funds that will be available under the Prevention and Public Health Fund, and we pay for it.

You wouldn't think that would be particularly revolutionary or novel around here, but unfortunately I think too often what we do is we act in an emergency or to avert an emergency and we don't follow through and do it in a fiscally responsible sort of way.

The fact of the matter is we do need to address the Zika virus. There is no doubt about that. There is no difference among us in this Chamber or in Congress about the need to deal with that. As a matter of fact, the House of Representatives has proposed a version of their response today, I believe. But we need to do this responsibly.

There is no reason why we have to put our country deeper in debt to protect ourselves against this virus. We don't have an endless supply of money. The Federal Treasury can't just keep printing money, and we can't just keep imposing on our children and grandchildren the responsibilities to pay the money back that we continue to borrow, particularly when we have a fund available to offset this expenditure.

As the Presiding Officer well knows, our growing debt in and of itself is a threat to our country's future and our way of life. The Presiding Officer and I have listened to the Senator from Georgia, Mr. PERDUE, talk about what impact our debt has on our ability not only to withstand another financial crisis, such as we had in 2008, but simply to fund such essential functions of the Federal Government like national defense.

Particularly, as the interest rates are going up, more and more money is going to be paid to our bond holders, such as China and others, instead of paying for essential functions of the government, like national defense or safety net programs that we all agree are worthwhile.

If we can deal with this potential crisis and do so in a fiscally responsible way without growing the debt, then we ought to be able to do that. This should be a no-brainer.

We should take this opportunity tomorrow to give our public health officials and local officials back home the resources they need to protect our constituents—the American people—against the spread of the Zika virus,

but we ought to do so without adding to our mounting debt.

Fortunately, this legislation also includes a provision that would waive provisions of the Clean Water Act—I have referred to those a little earlier—and permit State and local officials to spray to protect against mosquitoes year around. Unfortunately, this particular legislation, the Clean Water Act, has provisions in it that essentially tie the hands of public health officials when it comes to mosquito eradication, which is one of the essential components of a strategy to defeat this potential crisis.

We all agree that the Zika virus is a real threat with real public health consequences. It has already impacted a generation in Brazil and other Latin American countries. We are told it is apparently rampant in Puerto Rico and Haiti, and there is no question it is coming our way. With the summer months ahead of us, the potential for this virus to spread to the United States is a major concern that we ought to address with dispatch. We have to give those on the ground the tools and support they need to address this threat, but we have to do so in a responsible way.

I urge our colleagues on both sides of the aisle to support the legislation which funds the Zika prevention program at \$1.1 billion but pays for it out of the Prevention and Public Health Fund, as apparently this fund was created to do—to “provide for expanded and sustained national investment in prevention and public health programs.”

I urge my colleagues on both sides to support this legislation when we have a chance to vote tomorrow. The time to act is now.

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

The PRESIDING OFFICER (Mrs. FISCHER). Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Paula Xinis, of Maryland, to be United States District Judge for the District of Maryland.

The PRESIDING OFFICER. Under the previous order, there will be 60 minutes for debate only on the nomination, with the time equally divided in the usual form.

The Senator from Ohio.

ZIKA VIRUS

Mr. PORTMAN. Madam President, I rise today to talk about the Zika virus. We will have a vote on this tomorrow.

Tonight I wish to speak about the need for us to move forward with emergency funding with regard to this virus. We need to combat it. It is spreading. It poses a threat to the safety of women, children, and the elderly. It is particularly important that we keep it from spreading because there is no known Zika vaccine or treatment.

A lot of my constituents have asked me about this back home. This is a virus that has spread from Africa, to Asia, to Latin America, and now it is coming into our own country. It is spreading so quickly because it is insidious. It is difficult to test for it because it is usually confused with other viruses, like dengue. It can only be detected in a few days after you get it in the blood. Many of its symptoms in older adults are similar to other viruses, such as influenza, so it is tough to know whether you have it. It is typically contracted simply by being bitten by a mosquito, and two kinds of mosquitoes—both of which are in the United States—are the problem. We now know that it can also be transmitted by sexual activity. We are told that men may be able to sexually transmit the virus for months after the initial infection based on some experiences.

So, again, this is a difficult issue. Some people may not even know they have it; yet they might be spreading it. The spread of the virus is accelerating. It took 60 years for Zika to make it out of Africa to the Pacific. Just 8 years after that, it reached the Western Hemisphere in Latin America.

Today it has infected people in 62 countries, including the United States and 34 other countries in the Americas, so pretty much every country in the Americas is now infected with it. Hundreds of Americans have been infected. We know of nearly 500, including 48 pregnant women and 12 people in my home State of Ohio, in fact. Thus far, it looks as though all of the Americans who have become infected did so by traveling overseas, being infected by the mosquito or by sexual contact with someone who had Zika.

The World Health Organization calls it “a threat of alarming proportions” because it is spreading so quickly and because it has serious consequences for the most vulnerable in our society, particularly the elderly—an older gentleman in Puerto Rico recently died of Zika—children, babies in the womb, which we will talk about in a second, and pregnant women.

As Zika has spread, health officials have reported an increased incidence of babies born with a horrible birth defect

where a baby's head and brain are abnormally small. The consequences of this birth defect are absolutely tragic. These kids have seizures, slow development, intellectual disabilities, and often loss of hearing and vision. The consequences last a lifetime. There is no known cure for this disease. We don't want any child to have to suffer through that. It is in all of our interests to protect more babies from this syndrome.

In Brazil, there have been more than 900 confirmed cases since Zika arrived, with another 4,000 suspected cases. These are conservative estimates, and they are rising. That is up from around an average of 150 each year—a 600-percent increase from year to year.

Officials also tell us that Zika can cause what is called Guillain-Barre syndrome, which causes the body's immune system to attack its own nerves. It is a cruel syndrome, and in bad cases it can cause total paralysis and loss of sensation. This can happen to anyone, not just newborns but adults as well. These are just two of the neurological side effects that can result, and, like Zika, they are thought to be incurable.

For most adults, Zika is not fatal, but to the most vulnerable, like the elderly and the unborn, it could be a lifetime of suffering, disability, or even death. I mentioned the man in Puerto Rico who died last week after being infected by Zika, a fellow American. His immune system began to attack the platelets in his blood, so they couldn't clot, and that was the effect for him.

As Zika spreads, it becomes clearer than ever that our response has to be very aggressive, both domestically and internationally. It has to be aggressive, and therefore it has to be funded. That is why I think it is important that we deal with emergency funding before it is truly an emergency.

I thank my colleagues for the steps they have already taken to improve our response. In March, this body passed and President Obama signed into law bipartisan legislation which I cosponsored with my friend Senator FRANKEN that will give accelerated priority review at the Food and Drug Administration for new drugs and vaccines to treat Zika. This is very important, and I applaud the Senate for moving quickly and the administration for moving on that. It is a critical step. Right now, there is no cure and no treatment. President Obama has signed it into law.

I am also grateful to the administration for redirecting more than \$500 million of residual Ebola funds that were originally appropriated by Congress to deal with Ebola and were not necessary. They stopped using those funds for Ebola and shipped those funds over to Zika to stop it from spreading. I applaud them for that as well.

Again, we have more work to do, and it is my view that we ought to move forward with emergency funding. There was a proposal—I believe it was finalized just last week, Thursday or Fri-

day—from Senator BLUNT and Senator MURRAY that goes a long way toward dealing with this issue.

The majority of the funding is right here in the United States, while the rest will go to international immigration purposes so we can keep Zika from crossing our borders again. A lot of this funding goes to the Centers for Disease Control and Prevention—the majority of it—to enhance mosquito control programs, improve infrastructure for testing for Zika, and expand the pregnancy risk assessment monitoring system, all of which are important. This is emergency funding, and I think it is necessary. Some funding also helps provide health services for pregnant women in Puerto Rico and invests in scientific research for a treatment or a vaccine. This is perhaps the most important thing we can do. These are critical priorities.

I would also note that I am pleased that we have maintained the Hyde protections in this proposal, and I believe this is consistent with the goal of protecting innocent life, protecting these innocent babies from birth defects. We want this funding to be used to help preserve life and to help the vulnerable.

We need to ensure adequate funding. We have to recognize the tools already at our disposal and use them. I have remained in contact with the Secretary of the Air Force as this virus has spread to make clear that in Ohio we have reservists at Youngstown Air Reserve Station who are ready to help. This Air Reserve Station in Youngstown, OH, is the home of the 910th Airlift Wing, which is the only fixed-wing aerial spray unit in the United States. It has been used by the military all over the United States. They have played key roles in other public health emergencies, including spraying millions of acres in Louisiana and Texas for mosquito abatement after Hurricane Katrina. I believe they could play that same role now. They are ready to do it, but frankly they need an upgrade in their equipment to be able to do it.

As RADM Stephen Redd of the CDC told me in the Homeland Security and Governmental Affairs Committee, “there could be a role for that airwing in locations that do not have [finely honed mosquito control enterprises].” He said that a lot of counties in this country do not have that. He said: “One of the things that we think is really important that the Zika virus outbreak is pointing out is the need to really revitalize those mosquito control efforts.” I couldn't agree with him more.

We need to revitalize these efforts to be sure we have them and use the tools that are at our disposal right now. If Zika were to spread around the country, it is incredibly important that we have this control effort.

I hope we move forward on this in the next couple of days, send this legislation to the President for his signature, and get moving on dealing with the

Zika emergency we have before us. People all over Ohio ask me about it because they are worried. We need to keep our constituents safe, and we need to give them peace of mind.

Adopting the amendment I think we are going to have before us in the next couple of days is the best action we can take right now to achieve these goals, and I urge my colleagues on both sides of the aisle to strongly support emergency funding for this purpose.

Thank you.

I yield back my time.

THE PRESIDING OFFICER (Mr. COATS). The Senator from Vermont.

Mr. LEAHY. Mr. President, it has been 5 weeks since the Senate last confirmed a judicial nominee. In that time, judicial vacancies have continued to increase. Unfortunately, the Republican leadership has repeatedly objected to unanimous consent motions made to overcome the obstruction of 20 judicial nominees. These are nominees who were voted out unanimously by committee and are awaiting a confirmation vote.

The majority leader claims that President Obama's nominees have been treated fairly, but anyone paying attention to the Senate over the past 7 years knows that is not the case. It has been almost 2 months since Chief Judge Merrick Garland was nominated by President Obama to fill a vacancy on the Supreme Court. Chief Judge Garland is widely respected, and prior to his nomination, he had repeatedly received praise from the very Republicans who now refuse to allow him to appear for a confirmation hearing. These same Republicans refuse to do their jobs as Senators while outside groups pour millions of dollars into television ads that seek to discredit Chief Judge Garland's record. Before there was even a Supreme Court nominee, one Republican aide promised conservatives were “going to light this person up.” Sadly, it appears they are making good on their threat while simultaneously refusing to allow him a public hearing where he could respond.

Meanwhile, lower court nominees have stalled. Paula Xinis, whom we will vote on today, was nominated more than a year ago to fill an emergency vacancy—not just a regular vacancy but an emergency vacancy in Maryland. Since 2011, she has practiced as a criminal defense attorney at a law firm. Prior to that, she served in the Federal Public Defender's Office for the District of Maryland for 13 years, from 1998 to 2011. Ms. Xinis has extensive trial experience, representing hundreds of clients as a public defender and trying 16 cases to completion over the course of her career. The ABA Standing Committee on the Federal Judiciary unanimously rated Ms. Xinis “well qualified” to serve in the district court. They gave Paula Xinis their highest rating. She is strongly supported by both Senators from Maryland, and her nomination was unanimously approved by the Judiciary

Committee by voice vote 8 months ago. All the Republicans on the Judiciary Committee approved her nomination from the Committee by unanimous voice vote.

Senator SESSIONS came to the floor today to oppose Ms. Xinis's nomination based on her experience as an examiner of complaints against police officers in the District of Columbia. From 1995 to 2011, Ms. Xinis served as a complaint examiner in six cases where she made determinations on complaints brought against Metropolitan Police Department officers. At her Senate Judiciary Committee hearing, Senator SESSIONS questioned Ms. Xinis about her experience and expressed concern that, in the six cases Ms. Xinis served as a complaint examiner, she sustained rulings against police officers in all of them. Senator SESSIONS questions Ms. Xinis's fairness to police officers based on her determinations in these six cases.

However, as Senator SESSIONS said on the floor today, he does not question her personal qualifications or her integrity to be a Federal judge. And he also did not question her testimony before the Judiciary Committee in which she committed to being a fair and impartial judge, should she be confirmed. Furthermore, Ms. Xinis's record as a complaint examiner shows that each one of her six determinations was sustained by the chief of police; none of them was overturned. Her decisions could have been appealed and overturned if they were incorrect, but they were not.

Paula Xinis has earned the express support of law enforcement and has defended police officers as an attorney on a number of occasions. For instance, in one case, she provided legal counsel to a Baltimore police officer unfairly accused of criminal wrongdoing. That officer wrote a letter of support for Ms. Xinis, where he said: "Throughout the entire ordeal, I spent countless hours with Paula and her team. They worked diligently seeking the evidence needed to exonerate me. Although it was an extremely dark time for me, she always made me feel confident that she 'had my back' and that she was dedicated to seeing that I was vindicated. Thankfully, as a result of her tireless efforts on my behalf, all of the charges brought against me were dismissed earlier this year." This does not sound like a person who holds any biases against law enforcement. In addition to this officer, several other members of the law enforcement community have written in support of Ms. Xinis's nomination.

After we actually vote on Paula Xinis's nomination today, there will still be 19 judicial nominees pending on the Executive Calendar waiting for a confirmation vote. Every single one of these nominees was voted out of the Judiciary Committee by unanimous voice vote. Instead of allowing a vote on these nominees on a regular basis, the Republican leadership objects to the Senate being able to do our jobs.

After today's vote, the next in line for consideration is a district court nominee from New Jersey and then a district court nominee from Nebraska. I know the Senators from New Jersey are pushing for a vote on the nominee to serve in their State. I hope the Republican Senators from Nebraska are urging their leadership to schedule the confirmation of Robert Rossiter, who was approved by unanimous voice vote in committee. That vacancy has been pending for over a year and a half. There is no good reason for votes on these nominees to be further delayed.

Senator GRASSLEY has indicated that Republicans will shut down the judicial nominations process in July, even though vacancies have risen from 43 to 81 since Republicans took over the majority. They have allowed vacancies to rise dramatically and now want to shut it down even though the judicial nominees pending are not controversial and we have numerous vacancies that need to be filled. This is wrong. Contrast this to the last 2 years of George W. Bush's administration, when Democrats were in control. At this same point in the Bush Presidency, Democrats had reduced vacancies to just 46.

Because of Republican obstruction, our independent judiciary is struggling to perform its role under the Constitution. The Marshall Project recently interviewed several sitting judges to examine the impact judicial vacancies are having on our courts. Chief Judge Ron Clark of the Eastern District of Texas, which currently has three judicial emergency vacancies, said: "We're managing the best we can—but if they don't get us another judge soon, you could start to see some more draconian kinds of delays." There is a nominee to this court pending in the Judiciary Committee, but the Texas Senators, who both are members of the committee, have not returned their blue slips to allow that nominee to even receive a hearing. I hope the Texas Senators heed the call of Chief Judge Clark and get moving on their nominee.

And I hope the Senate majority allows this body to return to regular order when it comes to processing judicial nominees. We have a constitutional responsibility to provide advice and consent on the President's nominees. The Constitution has not changed, but once President Obama took office, this body's normal practice for treating nominees turned for the worse. Deference to home State Senators was no longer the norm, and procedural delay after procedural delay quickly became the standard practice of the Republican caucus, whether they were in the minority or now in the majority. In a New York Times op-ed a week ago, former Judge Shira Sheindlin of the Southern District of New York warned that the Republicans' obstruction to district court nominees "undermines public trust in the impartiality and legitimacy of the judiciary."

I was heartened to hear the majority leader last week make the point that

an election year is "not an excuse not to do our work." I could not agree more. That is why in the last 2 years of the George W. Bush administration, when I served as chairman of the Judiciary Committee, we confirmed 68 of President Bush's judicial nominees. That is compared to a handful of President Obama's nominees that the Republicans have allowed. We confirmed 68 of President Bush's judicial nominees, and we confirmed right up to the time we went out for the elections in September, not in June or July or May.

We have also confirmed more than a dozen Supreme Court Justices in Presidential election years, and many in this Senate served at the time. The last one we had, of course, was during President Reagan's final year in office. We did so because we knew the Supreme Court should not be held hostage to election-year politics; yet we are being held hostage to election-year politics because we are not doing our jobs. And the Supreme Court issued a couple more 4-to-4 opinions today.

I urge the majority leader to heed his own advice and to schedule a confirmation vote for the pending lower court nominees, and I urge the chairman of the Judiciary Committee to follow suit by scheduling confirmation hearings for Chief Judge Garland so that we can do our jobs.

Mr. President, I ask unanimous consent that Judge Sheindlin's op-ed and the Marshall Project review be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Marshall Project, April 26, 2016]

WHAT HAPPENS WHEN THERE AREN'T ENOUGH JUDGES TO GO AROUND?

(By Eli Hager)

The ninth seat on the Supreme Court has been vacant for two months.

But Antonin Scalia's chair is not the only empty one in the vast federal judiciary, where several judgeships have remained unfilled for 30 months or more. Around the country, there are 84 of these vacancies, largely as a result of the Senate's historically low rate of confirming President Barack Obama's nominees. And since the beginning of last year, the number of unfilled seats and pending nominations have been steadily rising.

Down in the gears of the justice system, all those absent judges have taken a toll.

Because courts are obligated to find ways to meet speedy-trial rules, at least in criminal cases, the vacancies have not caused across-the-board delays. But by all accounts, the unconfirmed nominees—combined with what advocates say is an insufficient number of judgeships overall—have forced the system to find sometimes extraordinary ways to make do with the few judges available.

Some judges, for example, are having to drive hundreds of miles to cover the empty seats. Less-qualified magistrate judges, senior judges who are supposed to be entering retirement, and visiting judges who fly in from other states, have all had to pitch in. And many of the remaining judges say that it's hard, with such a lack of personnel, to give every case the attention it deserves.

In the worst-hit districts, including all four districts of Texas, some areas of Florida

and California, Middle Alabama, and elsewhere, the situation is now considered an "emergency."

Ron Clark, chief judge of the Eastern District of Texas, which has three judicial emergencies out of only eight total judgeships, says that "we're managing the best we can—but if they don't get us another judge soon, you could start to see some more draconian kinds of delays."

JUDICIAL VACANCIES IN THE FEDERAL COURTS

In the past year, unfilled federal judgeships have been rising dramatically. Similarly, the number of seats on the bench considered "emergencies"—vacant for many months with a large caseload per judge—and the number of White House nominations awaiting Senate confirmation have climbed.

A 2014 study by the Brennan Center for Justice found that the vacancies led to a host of negative consequences. Among them were unresolved motions, habeas corpus petitions waiting years to be heard (or being handled by law clerks instead of judges), judges spending less time on each case, and defendants pleading guilty because they believed a trial would not get the timely attention it deserved.

And in civil proceedings, where the Speedy Trial Act does not apply, longer wait times for trial are becoming more common.

Morrison C. England Jr., chief judge of the Eastern District of California, says that "cases that aren't the priority are going to get pushed back for years, literally."

In Middle Alabama, Ricky Martin, a pastor, had been allowing registered sex-offenders to stay in mobile homes surrounding his church—until the state legislature made it illegal for him to do so. Martin filed suit in August of 2014, and the local D.A. responded with a "motion to dismiss" a few months later. But a judge didn't get around to weighing in—in Martin's favor—until this April, and the case may not actually be resolved for two more years or longer.

The process would have taken only three to four months if there were more judges available, says Randall Marshall, legal director of the ACLU of Alabama.

But sometimes, the effect is the opposite: the proceedings get rushed.

Brian McGiverin, a civil-rights lawyer in Austin, Texas, says that because there are so few judges, the remaining ones are all overbooked. As a result, they often "give you a cramped amount of time for trial, regardless of how many witnesses you'd like to call."

McGiverin recently assisted in the case of a woman named Abieyuwa Ikhninmwini, who claimed that she was racially profiled, handled with excessive force, and wrongfully arrested by police in San Antonio.

He says the court tried to "fast-track" her lawsuit, threatening to dismiss it within 21 days unless she paid a fee and submitted additional information—which would not have happened when there were enough judges.

Clark, chief judge in the nearby Eastern District of Texas, says that "with so few of us, it's definitely harder to have the flexibility that a defense lawyer might want us to. So the answer sometimes has to be, 'No, sorry, we can't offer that time in court.'"

Meanwhile, the consequences of too few judges are worsened in the most geographically expansive districts.

"When there's a missing judge in a state like ours," Clark says, "it's not like we can walk down the hall and take care of a trial for him—the trip from Beaumont to Plano is five and a half hours, and that's if the traffic is good."

He and the other judges in his district waste about two days a week on the road.

"We're one traffic accident away from the wheels falling off," he says.

As an additional stop-gap measure, the worst-hit districts are relying on pinch hitters.

In Middle Alabama, less-experienced magistrate judges (who are appointed directly by the district judges, rather than nominated by the president and confirmed by the Senate) have for several years been doing work once reserved for the district judges, from taking guilty pleas to overseeing evidentiary hearings. The district is also getting last-minute help from visiting judges, who have traveled from Iowa and Florida to pitch in.

"When there are judges who come in from elsewhere," says Christine Freeman, executive director of the federal defender's office in Montgomery, Ala., "they are strangers to us, to the prosecutor, to court officials, to the probation officers, to every single person involved in a case."

"That makes it very hard to predict outcomes for your client," Freeman adds.

But the lack of judges has perhaps fallen hardest on senior judges, who, because they are typically over 70 or 80 years old, usually take on 50 percent or less of a full caseload.

Instead, in Middle Alabama and elsewhere, their caseloads have been 150 or even 200 percent of normal.

"I'm 73, and I'd like to be able to say, 'Look, I'm done, I want to spend more time with my family,'" says Michael Schneider, one of the senior judges in Eastern Texas. "I'm encouraged that the president has nominated someone, but I can't actually cut back until a nominee is approved."

"I'm going to be at this for awhile," Schneider adds. "It's frustrating."

England, the chief judge in Eastern California, says that senior judges are the only reason why vacancies haven't become more of a crisis.

"We are living and dying with our senior judges," England says. "They're taking on cases they shouldn't have to, but that's what's saving us."

Of course, federal courts being overburdened is the symptom of more than simply a lack of nominations and confirmations.

Since 1990, Congress has not passed major legislation creating new judgeships, even as the war on drugs, and now the surge in prosecution of undocumented immigrants, have jammed up the system with exponentially more cases.

As a result, by 2013, there was a 39 percent uptick in the number of overall filings, while only 4 percent more judges were added to handle all that extra work.

Throw in the higher-than-normal number of vacancies, and it's a recipe for an overburdened judiciary. After a three-year wait, for instance, the Eastern District of California finally got a vacancy filled last October. But Chief Judge England says the crushing burden of too few judges hasn't lessened.

"One way or the other, Congress would need to give this district more judges," he says. "We need help—we have too many trials. I'm booked for 2016 and 2017 already."

[From the New York Times, May 6, 2016]

AMERICA'S TRIAL COURT JUDGES: OUR FRONT LINE FOR JUSTICE

(By Shira A. Scheindlin)

The outcry over the Senate's failure to hold hearings on Judge Merrick Garland's nomination to the Supreme Court is fully justified. But that isn't the only judiciary scandal on Capitol Hill. Even as the spotlight shines on the high court, the Senate has refused to confirm dozens of uncontroversial nominees to fill vacancies in the federal trial courts.

Such obstructionism has become an everyday occurrence. Just last week, Senate Republicans refused to vote on 11 federal dis-

trict court nominees whom the Judiciary Committee had already approved—even those who were supported by Republicans in their home states. During President George W. Bush's last two years in office, the Democratic-controlled Senate confirmed about 57 district court judges. Since Republicans took power in 2014, the Senate has confirmed only 15 of President Obama's trial court nominees.

This is an even bigger problem than Judge Garland's stalled nomination. Trial court judges do the bulk of the work in the federal court system: Last year nearly 375,000 new cases were filed, while the Supreme Court justices issued just under 75 opinions. And because most trial court decisions are never appealed, they become the final word in significant disputes that affect millions of Americans.

I know this firsthand. I served as a trial judge for over 21 years, and stepped down from the bench last week. As I walked out of a federal courthouse in Lower Manhattan on one of my last days, an African-American United States marshal asked me if he could have a word.

He explained that he had grown up in New York City's public housing, and thanked me for my 2013 decision in the "stop and frisk" case. (I ruled that the New York Police Department's practice in which police officers stopped hundreds of thousands of New Yorkers without reasonable suspicion, a vast majority of whom were innocent African-Americans and Latinos, was unconstitutional.)

"You just can't know what a difference this has made to so many people in my community," he said. "You can't even imagine."

But I think I can. At the policy's peak in 2011, officers stopped nearly 700,000 people. That number dropped to about 23,000 last year, and the policy change was not accompanied by a rise in serious crime, despite dire predictions to the contrary. As a result of my rulings and community outcry, the Police Department agreed to reforms, which include better record keeping, the use of police body cameras and the abandonment of racial profiling.

Other examples abound. In 1974, Judge Jack Weinstein of the Eastern District of New York found the de facto segregation in a Coney Island public school to be unconstitutional, a ruling affirmed on appeal. The school was ultimately integrated under his supervision, and without the "white flight" that politicians had feared would result.

And in one of the highest-profile civil rights cases ever in a trial court, Leonard about a decade later that both the housing and schools in Yonkers were intentionally segregated, and ordered construction of integrated housing in the city. An appeals court upheld this ruling, which, despite years of public protest, immensely improved the living conditions for thousands of Yonkers residents.

The influence of district judges has likewise had an effect on national security. In the mid-2000s, Judge Alvin Hellerstein, also from the Southern District of New York, ordered the government to disclose photographs under the Freedom of Information Act that depict the abuse of Abu Ghraib detainees, which was affirmed by the appellate court. Judge Hellerstein also effectively forced the government to turn over the Department of Justice's infamous "torture memos," which incited a national conversation about whether torture is ever appropriate.

Not every decision by district court judges benefits the public: Last week Judge Thomas Schroeder of North Carolina's Middle District upheld myriad legislative changes to the state's voting rules that will result in reduced voting opportunities for minorities, unless reversed.

Whether Judge Garland should be confirmed or not, there can be no denying that Supreme Court nominations are inherently political. So it's no surprise that they are drawn out for ideological or partisan reasons. But district court nominations are different. Ideology is not the issue: Experience and competence are the only criteria.

And yet the Senate majority's policy of delaying qualified district-court nominations on purely political grounds undermines public trust in the impartiality and legitimacy of the judiciary. This is especially worrisome because the public's understanding of how justice is administered is most likely based on its access to and experience with lower court proceedings.

Presidential debates have focused on the Islamic State, trade pacts and immigration policy; meanwhile, the next president will most likely appoint 130 trial judges over the next four years. The public needs to know what's at stake. Trial judges must spot the issues, decide the outcomes and fashion the remedies in all kinds of disputes. I cannot force this Congress to do its job. But I urge voters not to forget the White House's power to appoint all judges when they choose the next president.

Mr. LEAHY. Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Thank you very much, Mr. President.

I rise this evening in support of the nomination of Paula Xinis to serve on the District Court of Maryland. I know Senator CARDIN will be coming to the floor shortly to also comment on Ms. Xinis's nomination. Senator CARDIN and I recommended Ms. Xinis to President Obama with the utmost confidence in her abilities, talent, and competence for the job. She is a brilliant litigator and a dedicated public servant. The Judiciary Committee agreed with us, because they also voted her out of the committee unanimously.

I thank Senator MCCONNELL, the majority leader, for scheduling this vote; Senator GRASSLEY for moving this nomination; and I also thank my very good and dear friend Senator LEAHY, the vice chairman of the committee, who has been a strong advocate not only for this nomination but for moving all nominations forward, as voted out by the committee in a prompt way.

As I talk about Ms. Xinis, I want the Presiding Officer to know that I have recommended several judicial nominees for district and appellate courts, and I take my advise and consent responsibility very seriously. When I recommend to the President a position on the district court, I have four criteria: absolute integrity, judicial competence and temperament, a commitment to core constitutional principles, and a history of civic engagement in Maryland.

Ms. Xinis exceeds these expectations over and beyond. She has dedicated her career to the rule of law, achieving equal justice under the law and also being an advocate for the underdog. She is truly an outstanding nominee with a long history of public service—14 years as a Federal public defender,

handling everything from the most simple misdemeanors to very complex white-collar crimes. She has also taken on extra duties, training staff and being an attorney supervisor of research and writing, proving time and time again how committed and dedicated she is.

She worked as a clerk for the distinguished and esteemed Judge Diana Gribbon Motz, a well-respected judge on the Fourth Circuit. She also has been a member of the private sector as a senior trial partner in a private law firm in Baltimore, taking on complex civil litigation and protecting those who have been harmed by lead paint or carbon monoxide poisoning.

Judge Motz, in recommending Ms. Xinis to me, said she is so intelligent and generous in terms of working very hard, in terms of knowing the law and practicing the law, but she also commented on her work ethic, praising her skill in the courtroom and her service to the community.

She has mentored children, provided legal advice to at-need communities in Baltimore, and served on numerous bar associations. She has deep appreciation for the law and everything that it means. I do believe she will be an outstanding judge.

There have been criticisms raised of Ms. Xinis, and the criticisms have centered around her support within the law enforcement community. Flashing yellow lights were raised by one of our colleagues on the other side of the aisle, asking whether she had an impartial attitude toward police officers. I have four letters here from retired police officers in Baltimore City all attesting to that.

Mr. President, I ask unanimous consent to have these letters printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CITY OF CHARLOTTESVILLE,
POLICE DEPARTMENT,
Charlottesville, VA, August 30, 2015.

Re Letter in Support of Paula Xinis, for the position of United States District Judge for the District of Maryland.

Hon. CHARLES GRASSLEY,
Chairman, U.S. Senate Committee on the Judiciary, Washington, DC.

Hon. PATRICK LEAHY,
Ranking Member, U.S. Senate Committee on the Judiciary, Washington, DC.

DEAR HONORABLE SENATORS GRASSLEY AND LEAHY: My name is Timothy Longo and I currently serve as the Chief of Police in the City of Charlottesville, Virginia. I am a career law enforcement officer having previously served as a Colonel with the Baltimore City Police Department, retiring in March of 2000. In addition, to my professional training and experience, I am proud to have received my law degree from the University of Baltimore and was admitted to the Maryland Bar in December of 1993.

For the past 25 years, I have had the honor of instructing thousands of law enforcement officers and administrators on matters of policy, law, and generally accepted policing practices. In addition to my sworn duties and responsibilities, I have served on many occasions as a police practices expert assist-

ing both plaintiff and defense counsel in civil rights claims resulting from the actions of law enforcement officers, and the policies and practices related to those actions. It is in this capacity that I have come to know and respect Paula Xinis. I have come to learn that the Senate Judiciary Committee is presently considering Paula's candidacy and I respectfully write in support of her appointment.

Paula and I met several years ago when I was asked to assist her in the evaluation of a civil rights claim that she had filed on behalf of a client related to the actions of a municipal law enforcement officer and the agency and municipality that employed that officer. The claim arose out of a use of force incident which resulted in serious and permanent injury. I firmly believe that cases such as this requires not only a thorough understanding of Section 1983 litigation and that of municipal liability, but an equally thorough understanding of police training, policy, and practice.

For more than a year, I worked closely with Paula as she sought to better understand how a police officer is trained, the policies, principles, and practices that guide their work, as well as the manner in which police departments investigate incidents that result in force. What I discovered from the onset, and frankly what continued to impress me as I worked with Paula on this important matter, is the thoughtful and objective manner in which she approached both the facts and the theory of her client's case.

Although the complaint she had advanced on behalf of her client depicted a series of facts that one may find was clearly contrary to generally accepted policing practices on the face of her client's complaint, she consistently endeavored to examine that complaint and the facts in the support of it through the lenses of a career law enforcement officer who had not only worked the streets of a large metropolitan city, instructed thousands in policing, but also served as a policy maker as to the training of police officers and practices that guide that work. She and I spoke countless times, and at great length, about not only that particular case but the way that police officers go about their work and the decisions that they make quickly and oftentimes without much deliberation.

Paula was amazingly careful to reserve her own judgment and opinion as to the appropriateness of the officer's conduct and that of the agency's policy maker and listened carefully to my assessment of her claim and my opinion as to its propriety in light of my specialized training and experience.

America's law enforcement officers are facing incredibly difficult challenges as we closely evaluate the manner in which we go about our work, carefully consider re-shaping and reforming our practices, and endeavor to strengthen the necessary relationships we have with those whom we serve. Undoubtedly, law enforcement officers, policy makers, and municipalities will more frequently find themselves being scrutinized by our trial and appellate courts, and ultimately the court of public opinion. The nature of our work and recent police-citizen interactions that have ended tragically makes this reality most certain. Thus, it has never been more critical to connect the right people to this important work; not just on the front line but throughout the criminal justice continuum.

It is with a tremendous amount of pride and the utmost confidence that I respectfully ask the Senate of the United States to confirm the appointment of Paula Xinis to the United States District Court for the District of Maryland. I have absolutely no doubt that Paula will bring the competence and objectivity that is necessary to discharge the

duties of such an important position. She has my confidence, respect, and unfettered support.

If I can be of further assistance, please don't hesitate to call upon me.

Meanwhile, I thank you for your time and thoughtful consideration.

Respectfully Submitted,

TIMOTHY JOHN LONGO, Sr.,
Chief of Police,
City of Charlottesville, Virginia.

POLICE DEPARTMENT,
BALTIMORE, MARYLAND,
4 September 2015.

To: Senator Patrick Leahy.

From: Sgt Brian Atwood.

Subject: Recommendation for Paula Xinis to U.S. District Judge for Md.

SIR: My name is Sgt Brian Atwood; I am a twenty year veteran with the Baltimore Police Department, I started my career in May of 1995 in the Western District. During my career I have received three Bronze Stars for Valor, two Life Saving awards and have received numerous unit citations of. I have held several positions of authority include: Field Training Officer, Officer in Charge, Sergeant and Sergeant in Charge. I have been assigned to follow district units: Patrol, Flex Units, Drug Unit, and Firearm Instructor. I'm currently assigned to the departments, Special Operation Section. I have held tactical positions as both an officer and sergeant within the elite Emergency Service Unit. My current assignment is supervising sergeant of the K-9 unit.

I am also a passed board member of Maryland's largest FOP with over 5000 active and retired members. As a member of FOP Lodge #3, I have held numerous positions within our lodge to include. Grievance Rep, Grievance Chairman, P.A.C funds Chairman, Legal Advisory Board, Contract Team Chairman, and was elected to the position of Vice President for our Lodge.

It is my understanding that the Senate Judiciary Committee will be considering Ms. Paula Xinis for United States District Judge. I would proudly recommend Ms Xinis to the position of U.S District Judge for Maryland. Ms Xinis is a person of honor, integrity, fairness and would be outstanding in that position.

In closing as a 20 year member of the law enforcement community, I know first hand the need to have judges that are well balanced, fair and great listeners. It is equally important that our judges take the rule of law and always apply it equally, with understanding and compassion in there decision. That is why I proudly recommend Ms. Paula Xinis to the position of U.S. District Judge.

Respectfully,

Sgt. BRIAN ATWOOD.

ABINGDON, MD, AUGUST 31, 2015.

Re Letter in Support of Judicial Nomination of Paula Xinis for the United States District Court for the District of Maryland.

Hon. CHARLES GRASSLEY,
Chairman, U.S. Senate Committee on the Judiciary,
Washington, DC.

Hon. PATRICK LEAHY,
Ranking Member, U.S. Senate Committee on the Judiciary,
Washington, DC.

DEAR SENATORS GRASSLEY AND LEAHY: Please accept this letter as support for the nomination of Paula Xinis as a United States District Judge for the District of Maryland. I was employed as a Police Officer with the Baltimore Police Department from 1987 until the time of my retirement in September 2014. While assigned to the Patrol Division, I handled calls for service related to violations of Maryland's handgun and narcotics laws. I also actively participated in

shooting investigations. I also spent thirteen years assigned to the Tactical Unit/Quick Response Team. During my tenure with the Tactical Unit, one of the Unit's primary focus was serving high risk warrants for the Homicide and Robbery Units. When we weren't training, serving warrants and/or responding to barricade/hostage situations, we were utilized as suppression unit for illegal handguns and narcotics violations. For five straight years, my partner and I maintained the highest number of gun seizures/arrests and the largest narcotics cases within the Baltimore City Police Tactical Section. We received numerous commendations for our handgun arrests. Throughout the course of my career, I was called upon to testify in both the District and Circuit Courts in Baltimore City and County, as well as the United States District Court for the District of Maryland in Baltimore.

Unfortunately, my successful career in law enforcement was derailed in 2014 when I encountered difficulties in connection with a call for service. I was improperly and unfairly accuse of wrongdoing which led to criminal charges. This was a new experience for me as I had never even been disciplined during my career. I felt vulnerable and betrayed. It was clear to me and my wife that we needed legal representation that would aggressively fight to vindicate me.

My wife, whose practice is primarily the defense of civil cases, had been involved in a case in Baltimore City where Ms. Xinis represented the plaintiffs several years prior. During the course of that case, she would often remark that Ms. Xinis was a worthy advocate, yet fair and open-minded. Because of her experience with Ms. Xinis, my wife contacted her on a weekend to seek legal counsel and advice. From that point forward, Ms. Xinis made herself available to us, even if it was to simply reassure us that we were in good hands. Throughout the entire ordeal, I spent countless hours with Paula and her team. They worked diligently seeking the evidence needed to exonerate me. Although it was an extremely dark time for me, she always made me feel confident that she "had my back" and that she was dedicated to seeing that I was vindicated. Thankfully, as a result of her tireless efforts on my behalf, all of the charges brought against me were dismissed earlier this year.

I can personally attest to Ms. Xinis' legal acumen and her commitment to seeking justice, regardless of who the defendant may be. I observed her demonstrate the ability to forcefully argue her position to the court while being respectful to the court and other counsel. She can be a fierce advocate while maintaining a reassuring demeanor. My exposure to the judicial process throughout the course of my law enforcement career and as an officer who was wrongfully accused, has provided me with insight as to what is required to be an effective, fair and open-minded jurist. I can state without a doubt that Ms. Xinis possesses all of the necessary traits to be an asset to the federal bench in Maryland. The Committee could not find a more qualified candidate to fill the vacancy in Maryland.

Sincerely,

THOMAS J. SCHMIDT, Sr.

SEPTEMBER 1, 2015.

Re Support of Paula Xinis, for United States District Judge for the District of Maryland.

DEAR SENATOR PATRICK LEAHY (RANKING MEMBER) UNITED STATES SENATE COMMITTEE ON THE JUDICIARY: My name is Gregory Eads, Jr. I am a retired Baltimore City Police Officer. I served 22 years on the Baltimore City Police Department and retired in November

2014. I was currently assigned to the Bomb Squad and Emergency Services Unit where primarily I responded to suspicious package calls, bomb sweeps for visiting V.I.P's and stadium events. In my tenure as a police officer with the department I've acquired several skills and with worked in numerous specialized units. I have worked in Patrol, Bike(flex) squad, Drug enforcement unit, SWAT, Organized Crime Unit, Firearms Apprehension Strike Team. I am highly decorated officer that was awarded several unit citations, accommodations, and bronze star for valor.

I've come to learn the senate Judiciary Committee is considering Paula for a United States District Judge. I want to extend my support for Paula as a candidate. Paula and I met at her law firm as she was preparing to defend a co-worker in criminal case. She was interviewing me as a character witness. During this exchange we discussed my family, experiences and my background being a second generation Police Officer in Baltimore City. We share some similarities on life and making a difference in the world. Paula has a young child, demanding career and is very well known among her peers.

I was most impressed with her attention to detail, due diligence and preparation of the case. She is hardworking, open minded, and fair. I believe she would be an asset as she exemplifies the firm qualities that a United States District Court Judge possesses. As a police officer we need Judges that are fair, impartial and firm on the bench. With Paula being confirmed by the Senate Committee you will have that Judge I am referring to. I am grateful that I had the pleasure of meeting and working with Paula.

Sincerely,

GREGORY EADS JR.,
(Retired) BPD.

Ms. MIKULSKI. One letter is from someone who is a 20-year veteran, working in the Western District. The Western District is where they filmed "The Wire." It is rough, tough, and hardscrabble. This former police sergeant said:

In closing, as a 20-year member of the law enforcement community, I know firsthand the need to have judges that are well balanced, fair and great listeners. . . . That is why I proudly recommend Ms. Paula Xinis to the position of U.S. District Judge.

I won't go through every letter—the RECORD will speak for itself—but when you have retired police officers, those who are not on duty now but who worked with her hands-on and who know the way she works with law enforcement, the way she engages with them when she was a public defender and so on—I think these letters speak for themselves.

In closing, let me say this: The job of a U.S. Senator to recommend someone to be a judge is indeed a great honor, but it is an enormous responsibility. I take it very seriously, and I would only recommend somebody who was truly qualified to render impartial justice and bring the competency and the temperament to do that. I believe Ms. Xinis possesses competency, the judicial temperament, and a real commitment to equal justice under the law.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I join Senator MIKULSKI, as the two Senators from Maryland, in strongly recommending the favorable consideration of Paula Xinis for the district court judgeship of Maryland.

I first want to acknowledge the leadership of our senior Senator from Maryland in developing a process in which we screen the very most talented people for opportunities to serve on our Federal bench. This is a professional process that we have gone forward with under Senator MIKULSKI's leadership in order to try to get the very best on our courts.

It is not a partisan issue at all. It is strictly looking for those who have the judicial temperament and experience to be able to be an outstanding member of the bench. We have done that on previous nominations that have been considered on this floor, and Paula Xinis follows in that tradition. I thank Senator MIKULSKI for the process that we went forward on in making this recommendation to President Obama.

I might tell you, President Obama then forwarded the nomination to the Senate in March of last year—in March of 2015. It took 6 months for the Judiciary Committee to make its recommendations to the full floor in September of 2015. It was not a controversial nomination in the committee. The committee reviewed all of Ms. Xinis's background, record, everything that she has done, and on a very strong voice vote brought her forward to the full floor.

So this is not a controversial nomination. Because of the delay, originally to fill the vacancy of Deborah Chasanow, who took senior status, it is now a judicial emergency. People of Maryland are in a desperate situation to have an adequate number of judges to handle the workload in our district. It is critical we move forward in the confirmation of this nominee. Senator MIKULSKI has pointed out how qualified this person is.

I can tell you, over the last several months, I have been stopped on numerous occasions by attorneys and non-attorneys in Maryland saying: Why isn't Paula Xinis confirmed by now? She is a wonderful person. We have had experience with her.

I have heard glowing comments about her dedication to our community, her professional competency, and her qualifications to serve on the U.S. district court. It is for that reason the ABA gave her the highest ratings in their review of her qualifications. She has been in the private practice of law at Murphy, Falcon & Murphy. After just 2 years, she was made a partner in that firm. She has been an assistant Federal public defender, showing her compassion to represent some of the most difficult cases in our criminal justice system.

She was a law clerk for Judge Motz on the Fourth Circuit Court of Appeals. She has devoted her life to understanding our legal system but also to

carrying out its major charge to make sure we have equal access to justice under the law. She got her JD from Yale Law School, her BA from the University of Virginia.

What I really appreciated, in getting to know Paula Xinis better during this confirmation process, was getting to know her family background; that is, to represent the American story. Her father was an immigrant from Greece, came over with very little resources. They were able to take advantage of the opportunities in this country as an immigrant family. Now Paula Xinis has been nominated by President Obama to serve on the district court for Maryland.

Quite a success story, but Paula Xinis has never forgotten her background. She has always been giving back to our community. She is known for her pro bono work for her church members in the church she belongs to, but as Senator MIKULSKI pointed out, in working with the House of Ruth in a mentoring program, she has taken on some of the most difficult challenges to affect the lives of people who are less fortunate. She has an 11-year-old who is like her second son whom she has mentored and given a real opportunity in our community.

She has the whole package. She will make a great district judge. Senator MIKULSKI mentioned the comments that were made on the floor in regard to her support for law enforcement for police officers. I hope, if anyone has any questions about that, read the letters Senator MIKULSKI put into the RECORD. I know of some of these cases. I know of the case of Timothy John Longo, who served with the Baltimore City Police Department and is now the chief of police for Charlottesville, VA.

He said:

I have absolutely no doubt that Paula will bring the competency and objectivity that is necessary to discharge the duty of such an important position. She has my confidence, respect and unfettered support.

Then there is Thomas Schmidt, who Ms. Xinis represented when he was accused of wrongdoing as a police officer. She represented him in the most difficult challenge. Mr. Schmidt said:

Throughout the entire ordeal, I spent countless hours with Paula and her team. They worked diligently seeking the evidence needed to exonerate me. Although it was an extremely dark time for me, she always made me feel confident that she had my back, and that she was dedicated to seeing that I was vindicated. Thankfully, as a result of her tireless efforts on my behalf, all the charges brought against me were dismissed earlier this year.

She has been in the forefront of defending those who were defending us as first responders. There are other letters that have been written by police officers indicating that Paula Xinis contains exactly what they want to see in a judge: someone who is fair and impartial and who will carry out the rule of law in an objective manner. So for all of those reasons, we bring you a nominee who is eminently qualified

and deserves the support of this body. We would urge our colleagues to support this nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Today the Senate will vote on the nomination of Paula Xinis to be a judge for the District of Maryland. I will support that nomination.

Mr. President, I come to the floor at this time to also talk about judges generally. I have been hearing the usual complaints from Members of the minority party regarding the pace of judicial nominations. I would urge my colleagues to step back and look at the bigger picture. The relevant number to consider is the number of confirmations during an entire Presidency. At this point in his Presidency, President George W. Bush had 303 judicial nominees confirmed. After tonight's vote, so far in his Presidency, President Obama will have 325 confirmed. Those are 22 more nominees than Bush had.

So as we continue to hear complaints about how many judges are being confirmed, we should put these complaints in context. The simple fact is, President Obama has had quite a few more nominees confirmed than President Bush did.

Further, I would note that as chairman, after this Wednesday, I will have held hearings for the same number of nominees this Congress has had as the last chairman of the committee did to this point during the last 2 years of President Bush's Presidency. At this point in the 2008 Congress—that would be the 110th Congress—the former chairman held hearings on 43 nominees. At the end of May of this year, we will have held hearings on 43 nominees thus far in the 114th Congress.

I yield back all remaining time.

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

All time is yielded back.

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

Mr. GRASSLEY. Mr. President, 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 bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. COTTON), the Senator from Texas (Mr. CRUZ), the Senator from Wyoming (Mr. ENZI), the Senator from Arizona (Mr. FLAKE), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Kansas (Mr. MORAN), the Senator from Kansas (Mr. ROBERTS), the Senator from Alaska (Mr. SULLIVAN), the Senator from Pennsylvania (Mr. TOOMEY), and the Senator from Louisiana (Mr. VITTER).

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING), the Senator from Vermont (Mr. SANDERS),

and the Senator from Oregon (Mr. WYDEN) are necessarily absent.

The PRESIDING OFFICER (Mr. LANKFORD). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 53, nays 34, as follows:

[Rollcall Vote No. 72 Ex.]

YEAS—53

Alexander	Gillibrand	Murphy
Baldwin	Graham	Murray
Bennet	Grassley	Nelson
Blumenthal	Hatch	Peters
Booker	Heinrich	Portman
Boxer	Heitkamp	Reed
Brown	Hirono	Reid
Cantwell	Kaine	Rubio
Cardin	Kirk	Schatz
Carper	Klobuchar	Schumer
Casey	Leahy	Shaheen
Coats	Manchin	Stabenow
Collins	Markey	Tester
Coons	McCaskill	Udall
Donnelly	McConnell	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Mikulski	

NAYS—34

Ayotte	Ernst	Perdue
Barrasso	Fischer	Risch
Blunt	Gardner	Rounds
Boozman	Heller	Sasse
Burr	Hoeven	Scott
Capito	Inhofe	Sessions
Cassidy	Isakson	Shelby
Cochran	Lankford	Thune
Corker	Lee	Tillis
Cornyn	McCain	Wicker
Crapo	Murkowski	
Daines	Paul	

NOT VOTING—13

Cotton	King	Toomey
Cruz	Moran	Vitter
Enzi	Roberts	Wyden
Flake	Sanders	
Johnson	Sullivan	

The nomination was confirmed.

The PRESIDING OFFICER. 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.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The Senator from Iowa.

INCOME INEQUALITY

Mr. GRASSLEY. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of a newspaper article at the conclusion of my remarks.

Income inequality has been a hot topic this campaign season. It has become the rallying cry of the left to support their economic agenda. Whether it is taxing the rich, raising the minimum wage, combating global warming, or any other number of policies. If you listen to Secretary Clinton and Senator SANDERS on the campaign trail, you would get the impression that income inequality is the fault of Republicans. They contend that their preferred policies will close the gap between the rich and the poor. However, the inconvenient fact is that inequality rose considerably more under President

Clinton than it did under President Reagan. Further, it has increased more under President Obama than it did under President Bush.

For any of my colleagues wondering how this could be the case, I would encourage them to read Lawrence Lindsey's op-ed that ran in the Wall Street Journal in March.

Mr. Lindsey's article title "How Progressives Drive Income Inequality" details how liberal policies have not only failed to reduce income inequality, but may in fact be contributing to it.

For instance, my colleagues on the left all too frequently look to ever richer and more expansive transfer payment programs as the solution. However, too often our existing transfer programs meant to help the less fortunate act as an anchor preventing Americans from climbing up the income ladder.

This risks creating a permanent underclass of citizens that are dependent on the state for their basic needs. That may be the dream of European-style Social Democrats, but it is most certainly not the American Dream.

The Congressional Budget Office looks at this effect in terms of marginal effective tax rates on low and moderate income workers. This refers to how much extra tax or reduction in government benefits is imposed on an American worker when he or she earns an additional dollar of income.

CBO estimates that in 2016 those under 450% of the federal poverty level will face an average effective tax rate of about 41%. Keep in mind that this is just the average. CBO demonstrates how a substantial number of workers could experience marginal effective rates exceeding 50, 60, or even 80%, which is far higher than the top statutory rate of 39.6% paid by the wealthiest Americans.

The end result is a worker facing these rates may just decide it doesn't make much sense to take on extra hours or put in the effort to learn extra skills to increase their earnings potential. Historically, this has impacted married women in the workforce most of all as they are more likely than men to drop out of the workforce completely as a result.

Discouraging individuals from entering the labor force, taking on more work hours, gaining extra experience, or learning new skills, is a recipe for stagnant incomes and increased income disparity. But, far from seeking to address these work disincentive effects, President Obama has made it worse for millions of workers. Take the premium tax credit enacted as part of the Affordable Care Act for instance. CBO estimates it will raise marginal tax rates by an estimated 12 percentage points for recipients.

Secretary Clinton and Senator SANDERS also have provided no indication they would reverse this trend. In fact, they appear to only be interested in exacerbating this problem through richer transfer programs, increased costs on employers, and increased payroll taxes.

The scapegoat of the income inequality debate on the left has, of course, been the much-hyped top 1 percent. Here we are told that if we just tax the rich, we can solve all of our problems and address income inequality in one fell swoop.

But, if increased taxes on the wealthy is a solution to income inequality, why—as I pointed out at the start of this speech—did income inequality grow faster under President Clinton than under President Reagan? And why has income inequality grown faster under President Obama than under President Bush?

The fact of the matter is that taxing the wealthy to reduce income inequality at best is a fool's errand and at worst could be a blow to our economy—potentially harming individuals at all income levels.

A recent research paper by the liberal Brookings Institution looked directly into the question of whether substantially increasing taxes on the wealthy would reduce income inequality. To quote their findings, "An increase in the top tax rate leads to an almost imperceptible reduction in overall income inequality, even if the additional revenue is explicitly redistributed." Raising taxes might be successful at generating revenue to fund greater wealth transfer payments. But it does nothing to rectify the "opportunity gap."

Soak the rich policies do not create greater opportunity for low-income individuals. In fact, wealth transfer policies often have the perverse effect of trapping their intended beneficiaries in soul-crushing government dependency. Moreover, because of their negative effects on economic growth and capital formation, they can reduce opportunity for all Americans. You do not have to take my word for the anti-growth effects of increasing taxes. Research by Christina Romer, President Obama's former chief economist, found that a tax increase of 1% of GDP reduces economic growth by as much as 3%.

According to this study, tax increases have such a substantial effect on economic growth because of the "powerful negative effect of tax increases on investment."

In effect, what those who pursue wealth-destroying redistributionist policies are really saying—to quote Margaret Thatcher—is that they "would rather that the poor were poorer, provided that the rich were less rich." That may result in less differences in wealth between Americans, but the expense of making us all worse off. Our goal must be to create wealth and opportunity for ALL Americans.

We should reject the notion that in order to improve the lot of one individual, someone else must be made worse off. The leadership of other side has become fixated on redistributing the existing economic pie. The better policy is to increase the size of the pie. When this occurs, no one is made better off at the expense of anyone else.

This is best achieved through pro-growth policies aimed at growing the economic pie, not by taking from some and giving to others.

Instead of seeking to reduce inequality by knocking the top down a few pegs on the income ladder, policies should be focused on helping individuals climb upwards by tearing down barriers that stand in their way. We all agree with the need for a sound safety net to protect the most vulnerable among us. But when that safety net begins to act like an anchor holding people back, we need to be brave enough to chart a new course. This is what we sought to do with welfare reforms in 1994 through work requirements and incentives. It is once again time for us to review and reform programs so as to minimize as much as possible the current built-in work disincentives from transfer programs that I discussed earlier.

Another often overlooked issue is the burden overregulation imposes on low-income individuals.

Dr. McLaughlin of the Mercatus Center in testimony before a Senate Judiciary subcommittee hearing earlier this year discussed two negative impacts regulation can have on low-income households.

First, while it is well recognized that regulations can increase transaction costs for businesses, it is equally true that consumers feel the costs in the form of higher prices. Since low-income households tend to spend, rather than save, a much larger share of their income, they are the ones hit hardest by the regulatory costs. In this regard, regulation acts much like a regressive tax on the consumption of those that are the least well off.

A second point made by Dr. McLaughlin is that regulations can often create a barrier to entry. Setting out on one's own to start a business is as American as apple pie. It is an avenue that Americans throughout history have taken to climb from the poor house to the penthouse. But, the cost imposed by entry regulations can too often stand in the way. This directly limits opportunities of lower-income individuals who are the least likely to be able to cut through the red tape and have money on hand to afford the associated costs. Research by Dr. McLaughlin directly links entry regulations with income inequality. His study looked at the relationship between regulation and income inequality across 175 countries and found that stringent entry regulations are correlated with significantly higher levels of income inequality.

On the campaign trail we have heard Senator SANDERS sing the virtues of Denmark in his crusade against inequality. Interestingly enough, Denmark scores very well in the World Bank's "ease of doing business" ranking, which looks at the cost, time, and overall red tape in starting and running a business. In fact, Denmark is ranked third, while the U.S. lags behind in seventh and has been consistently falling backwards since 2008.

While Senator SANDERS points to Denmark as a model for the U.S. due to its tax and social welfare policies, it is Denmark's regulatory efficiency that deserves our attention. In addition to reducing unnecessary regulatory barriers and built-in work disincentives, there is no question we need to do a better job ensuring individuals have the skills necessary to compete in the 21 century economy.

There has been considerable research demonstrating that the widening wage gap between skilled and unskilled labor has contributed to the growth in income inequality. I consistently hear from employers in Iowa who cannot find enough skilled workers to fill well-paying jobs. If we are to reduce income inequality, we must first reduce opportunity inequality.

We have an excellent system of community colleges in Iowa that train Iowans for jobs that are available in Iowa, but those who are chronically unemployed tend to lack the so-called "soft skills" that are necessary to hold down a job. In order to eliminate opportunity inequality, we must get back to the notion of the inherent dignity of work and ensure that hard work pays off.

These are just a few areas we should be able to work together on to increase opportunities for those least well off among us. Increasing opportunity should be our focus, not pitting American against American based on their socioeconomic status. If we make increased opportunity our focus, no one is required to be made worse off to benefit someone else. In fact, by tearing down barriers standing in the way of hardworking Americans, all Americans will benefit from higher productivity, higher wages, and higher economic growth.

My colleagues on the other side who are truly interested in reducing poverty and inequality should abandon their divisive politics of envy and class warfare. Instead, work with Republicans on an agenda focused on economic growth and opportunity to benefit ALL Americans.

I yield the floor.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[Mar. 4, 2016]

HOW PROGRESSIVES DRIVE INCOME INEQUALITY (By Lawrence B. Lindsey)

Hillary Clinton and Bernie Sanders are promising all types of programs to make America a more equal country. That's no surprise. But when you look at performance and not rhetoric, the administrations of political progressives have made the distribution of income more unequal than their adversaries, who supposedly favor the wealthy.

The Census Bureau releases annual updates on income distribution in the U.S., publishing three technical statistical measures—the Gini index, the mean logarithmic deviation of income (mean log deviation for short), and the Theil index—each of which represents inequality levels on a scale of 0 to 1 (zero signifies perfect equality and 1 indicates perfect inequality). By all three measures, inequality rose more under Bill Clinton than under Ronald Reagan. And it wasn't even close. While the inequality increase as

measured by the Gini index was only slightly more during Clinton's two terms, the Theil index and mean log deviation increased two and three times as much, respectively.

Barack Obama's administration follows this pattern, despite the complaints he and his supporters have made about his predecessor. The mean log deviation increased 37% more under Mr. Obama than under President George W. Bush, although when this statistic was released, Mr. Obama had only six years as president compared with Mr. Bush's eight. The Gini index rose more than three times as much under Mr. Obama than under Mr. Bush. The Theil index increased sharply during the Obama administration, while it fell slightly under Bush 43.

Sure, no president intends to raise inequality. And the spin doctors for Messrs. Clinton and Obama may insist that it wasn't their fault.

But consider their policies. Both Democratic presidents presided over bubble economies fueled by easy monetary policy. There is no better way to make the rich richer than to run policies that push up the price of financial assets. Cheap money is a boon to those who have access to it. Interest rates were also too low under Bush 43, but that bubble was in housing, and the effects were therefore more evenly distributed than under Mr. Clinton's stock-market bubble or Mr. Obama's credit bubble.

Money matters, but so do other policies, such as the long, historic sweep of the expanding welfare state. In 1968, government transfer payments totaled \$53 billion or roughly 7% of personal income. By 2014, these had climbed to \$2.5 trillion—about 17% of personal income. Despite the redistribution of a sixth of all income, inequality measured by all three of the Census Bureau's indexes is far higher today than in 1968.

Transfer payments under Mr. Obama increased by \$560 billion. By contrast private-sector wages and salaries grew by \$1.1 trillion. So for every \$2 in extra wages, about \$1 was paid out in extra transfer payments—lowering the relative reward to work. Forty-five million people received food stamps in mid-2015, an increase of 46% since the end of 2008. Similarly, 71.6 million individuals were enrolled in Medicaid and the Children's Health Insurance Program, an increase of 13.3 million since October 2013.

In 2008, during the deepest recession in 75 years, 13.2% of Americans lived below the government's official poverty line. The Great Recession officially ended in June 2009, but in 2014, after five years of economic expansion, 14.8% of Americans were still in poverty. The economy was better, and there were a lot more handouts, but still poverty rose.

The structure of American households shows how this happened. From 2008 through 2014, the most recent year for which we have data, the number of two-earner households declined. These two-earner households have become the backbone of the American middle class.

Research by the Hamilton Project and the Urban Institute show that when families with children making between \$20,000 and \$50,000 attempt to have a second earner go back to work, the effective tax rate on the extra earnings—including lost government benefits such as food stamps, the earned-income tax credit, and medical support payments—is between 50% and 80%. This phase-out of the ever increasing array of benefits has created a "working-class trap" instead of a "poverty trap" that is increasing inequality and keeping the income of these households lower than they might otherwise be.

While the number of two-earner households declined during the first six years of the

Obama presidency, the number of single-earner households rose by 2.6 million and the number of households with no earners rose by almost five million. In other words, two thirds of the increase in the number of families under Mr. Obama was accounted for by households with no one working. This is the reason the middle class has shrunk, and the reason inequality has increased. And unless we increase the number of people wanting to work and the number of jobs through economic growth, inequality will only increase.

The flip side of the progressive agenda to redistribute income to those with less is to raise taxes on the "rich." The data show that it is also an ineffective way to reduce inequality.

President Clinton increased the top tax rate on higher earners—yet inequality rose during his administration, and faster than under the tax-cutting Ronald Reagan. The same happened under President Obama. Tax rates went up on upper-income earners. Inequality rose too, and more than under his tax-cutting predecessor.

A recent Brookings Institution study—whose authors include Peter Orszag, President Obama's director of the Office of Management and Budget—found that boosting the top tax rates even more, as Sen. Sanders suggests, would have little or no effect on inequality. The paper explored the effects of raising the highest marginal income-tax rate to 50% from 39.6%. Assuming no behavioral effects, the expected revenue was then distributed directly (and in theory costlessly) to the bottom 20% of income earners.

The \$95 billion in extra taxes and transfers reduced the Gini Coefficient by only 0.003. To put that in perspective, that reversed only one fifth of the increase in inequality during the Obama presidency.

There was a catch. When the authors assumed that there might be a behavioral response by higher income taxpayers, inequality fell—but for the wrong reasons. Less work, saving, investing and more tax sheltering reduced the taxable income of higher earners and therefore meant less revenue to redistribute. So the rich got poorer, by their own choice, but the poor got less in benefits. A true lose-lose situation.

None of this should really be surprising. If the socialist ideal of "from each according to his ability, to each according to his need" worked in practice, the Berlin Wall might still be standing. Of course, one of the reasons it came down is that a new ruling class emerged to take from the productive and give to those in need, siphoning off a cut of the swag along the way. Ruling classes always have sticky fingers.

Redistribution through the political process is not costless—even in a perfect world there would be a large bureaucracy to feed. Special-interest elites also emerge when so much money is being moved around. They take their cut, introducing even more inefficiency into the system.

Presidential contenders who boast of their plans to reduce inequality might ponder the fact that providing more free things is not the answer. Even free college and free health care are paid with taxes that discourage people from increasing their work, savings and entrepreneurship.

Attacking the rich and running against inequality may be a sensible political strategy. But in the end the programs to implement this strategy make the problem worse. Yet advocates come back and demand the same programs. That is perilously close to the definition of insanity attributed to Einstein: doing the same thing over and over again and expecting different results.

The repeated failure of political promises has another downside—increasing voter alienation and cynicism. The appeal of redis-

tribution is understandable, but voters who think the progressives running today are going to reduce inequality are falling into the same trap as people entering fifth or sixth marriages—the triumph of hope over experience.

The PRESIDING OFFICER. The Senator from Maine.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

Ms. COLLINS. Mr. President, what is the pending business?

The PRESIDING OFFICER. H.R. 2577 is the pending business, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Pending:

Collins amendment No. 3896, in the nature of a substitute.

McConnell (for Lee) amendment No. 3897 (to amendment No. 3896), to prohibit the use of funds to carry out a rule and notice of the Department of Housing and Urban Development.

McConnell (for Nelson/Rubio) amendment No. 3898 (to amendment No. 3896), making supplemental appropriations for fiscal year 2016 to respond to Zika virus.

McConnell (for Cornyn/Johnson) amendment No. 3899 (to amendment No. 3896), making emergency supplemental appropriations for the fiscal year ending September 30, 2016.

McConnell (for Blunt) amendment No. 3900 (to amendment No. 3896), Zika response and preparedness.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, we are working very hard on both sides of the aisle. Senator REED and I have been discussing a package of amendments which we ultimately hope to approve by unanimous consent. We are making sure that it is a balanced package, reflecting both Republican and Democratic initiatives. These are amendments that are acceptable to both of us as managers of the bill, but we are waiting for the process to work its way through. My hope is that we might be able to do it this evening, but if not this evening, then perhaps we will be able to turn to it first thing in the morning.

I thank the Presiding Officer and 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. COLLINS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENTS NOS. 3903; 3909; 3917; 3919; 3922; AND 3921, AS MODIFIED, TO AMENDMENT NO. 3896

Ms. COLLINS. Mr. President, I ask unanimous consent that the following amendments be called up en bloc and

reported by number: Heitkamp No. 3903; Barrasso No. 3909; Ayotte No. 3917; Mikulski-Shelby No. 3919; Feinstein-Portman No. 3922; and Franken-Tillis No. 3921, as modified.

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

The clerk will report the amendments by number.

The senior assistant legislative clerk read as follows:

The Senator from Maine [Ms. COLLINS], for others, proposes amendments numbered 3903; 3909; 3917; 3919; 3922; and 3921, as modified, en bloc to amendment No. 3896.

The amendments are as follows:

AMENDMENT NO. 3903

(Purpose: To require a report on the economic and infrastructure effects on airports of collegiate aviation flight training operations)

On page 26, after line 21, add the following: SEC. 119J. (a) Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report assessing the importance of collegiate aviation flight training operations and the effect of such operations on the economy and infrastructure of airports in the National Plan of Integrated Airport Systems.

(b) In the report required by subsection (a), the Comptroller General shall include the following:

(1) An assessment of the total capacity of collegiate aviation flight training programs in the United States to meet the needs of the United States to train commercial pilots.

(2) An assessment of the footprint of collegiate aviation flight training operations at the airports in the United States.

(3) An assessment of whether infrastructure beyond that necessary for operations of commercial air carriers is needed at airports at which collegiate aviation flight training operations are conducted.

(4) If such infrastructure is needed, an estimate of the cost of such infrastructure.

(5) An identification of funding sources, available before the date of the enactment of this Act or that may become available after such date of enactment, that may be used to construct such infrastructure.

(6) Recommendations for improving technical and financial assistance to airports to construct such infrastructure.

AMENDMENT NO. 3909

(Purpose: To allow Indian tribes to use certain funds to construct housing for certain skilled workers)

On page 103, line 18, insert "and, notwithstanding title I of that Act (42 U.S.C. 5301 et seq.), eligible Indian tribes may use funds made available under this paragraph for the construction of housing for law enforcement, health care, educational, technical, and other skilled workers" after "title)".

AMENDMENT NO. 3917

(Purpose: To prohibit the use of funds for the Continuum of Care program of the Department of Housing and Urban Development unless the program allows for zero-tolerance recovery housing)

In the matter under the heading "HOMELESS ASSISTANCE GRANTS" under the heading "COMMUNITY PLANNING AND DEVELOPMENT" in title II of division A, insert before the period at the end the following: "Provided further, That none of the funds provided under this heading shall be available for the continuum of care program unless the Secretary ensures that zero-tolerance recovery housing programs are eligible to receive funds under the continuum of care program".

AMENDMENT NO. 3919

(Purpose: To provide for safety improvements on transit systems)

At the appropriate place in title I of division A, insert the following:

SEC. _____. Notwithstanding any other provision of this Act—

(1) the total amount made available under the heading “ADMINISTRATIVE EXPENSES” under the heading “FEDERAL TRANSIT ADMINISTRATION” shall be \$113,165,000; and

(2) the total amount made available under the heading “SALARIES AND EXPENSES” under the heading “OFFICE OF THE SECRETARY” shall be \$113,896,000.

AMENDMENT NO. 3922

(Purpose: To allow jurisdictions to maintain access to certain funds deposited in their HOME Investment Trust Fund that would otherwise expire)

At the appropriate place in title II of division A, insert the following:

SEC. _____. Section 218(g) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12748(g)) shall not apply with respect to the right of a jurisdiction to draw funds from its HOME Investment Trust Fund that otherwise [expired or would] expire in 2016, 2017, 2018, or 2019 under that section.

AMENDMENT 3921, AS MODIFIED

(Purpose: To require the United States Interagency Council on Homelessness to submit a report on improving health and housing outcomes for chronically homeless individuals, individuals with behavioral health conditions, and children)

At the appropriate place in division A, insert the following:

SEC. _____. Not later than 24 months after the date of enactment of this Act, the United States Interagency Council on Homelessness shall submit to Congress a report that assesses how Federal housing programs and Federal health programs could better collaborate to reduce costs and improve health and housing outcomes, in particular for—

(1) chronically homeless individuals; (2) homeless individuals with behavioral health conditions; and (3) homeless children, including infants, in families that—

(A) receive housing assistance under programs administered by the Federal Government; or

(B) could benefit from grant programs administered by the Federal Government.

Ms. COLLINS. I ask unanimous consent that the Senate now vote on these amendments en bloc.

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

Ms. COLLINS. I know of no further debate on these amendments.

The PRESIDING OFFICER. Is there further debate?

The PRESIDING OFFICER. If not, the question is on agreeing to the amendments en bloc.

The amendments (Nos. 3903; 3909; 3917; 3919; 3922; and 3921, as modified) were agreed to en bloc.

AMENDMENT NO. 3899, AS MODIFIED

Ms. COLLINS. Mr. President, I ask unanimous consent that the Cornyn amendment No. 3899 be modified with the changes that are at the desk.

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

The amendment, as modified, is as follows:

(Purpose: Making emergency supplemental appropriations for the fiscal year ending September 30, 2016, and for other purposes)

At the appropriate place in division B, insert the following:

TITLE ____

ZIKA RESPONSE AND PREPAREDNESS

CHAPTER 1

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

PRIMARY HEALTH CARE

For an additional amount for fiscal year 2016 for “Primary Health Care”, \$40,000,000, to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally: *Provided*, That funds appropriated in this paragraph shall be used to expand the delivery of primary health services authorized by section 330 of the Public Health Service (“PHS”) Act in Puerto Rico and other territories: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

HEALTH WORKFORCE

For an additional amount for fiscal year 2016 for “Health Workforce”, \$6,000,000 to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally: *Provided*, That funds appropriated in this paragraph may, for purposes of providing primary health services in areas affected by Zika virus or other vector-borne diseases, be used to assign National Health Service Corps (“NHSC”) members to Puerto Rico and other Territories, notwithstanding the assignment priorities and limitations in or under sections 333(a)(1)(D), 333(b), or 333A(a) of the PHS Act, and to make NHSC Loan Repayment Program awards under section 338B of such Act: *Provided further*, That for purposes of the previous proviso, section 331(a)(3)(D) of the PHS Act shall be applied as if the term “primary health services” included health services regarding pediatric subspecialists: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MATERNAL AND CHILD HEALTH

For an additional amount for fiscal year 2016 for “Maternal and Child Health”, \$5,000,000 to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally: *Provided*, That funds appropriated in this paragraph may be awarded for projects of regional and national significance in Puerto Rico and other Territories authorized under section 501 of the Social Security Act, notwithstanding section 502 of such Act: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CENTERS FOR DISEASE CONTROL AND PREVENTION

CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

For an additional amount for fiscal year 2016 for “CDC-Wide Activities and Program Support”, \$449,000,000, to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-

borne diseases, and related health outcomes, domestically and internationally; and to carry out titles II, III, and XVII of the PHS Act with respect to domestic preparedness and global health: *Provided*, That products purchased with these funds may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F-2 of the PHS Act: *Provided further*, That funds may be used for purchase and insurance of official motor vehicles in foreign countries: *Provided further*, That the provisions in section 317S of the PHS Act shall not apply to the use of funds appropriated in this paragraph: *Provided further*, That funds appropriated in this paragraph may be used for grants for the construction, alteration, or renovation of nonfederally owned facilities to improve preparedness and response capability at the State and local level: *Provided further*, That of the amount appropriated in this paragraph, \$88,000,000 may be used to reimburse accounts administered by the Centers for Disease Control and Prevention for obligations incurred for Zika virus response prior to the enactment of this Act: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For an additional amount for fiscal year 2016 for “National Institute of Allergy and Infectious Diseases”, \$200,000,000, to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally, including expenses related to carrying out section 301 and title IV of the PHS Act: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for fiscal year 2016 for “Public Health and Social Services Emergency Fund”, \$150,000,000, to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally; to develop necessary countermeasures and vaccines, including the development and purchase of vaccines, therapeutics, diagnostics, necessary medical supplies, and administrative activities; for carrying out titles II, III, and XVII of the PHS Act with respect to domestic preparedness and global health; and for additional payments for distribution as provided for under the “Social Services Block Grant Program”: *Provided*, That funds appropriated in this paragraph may be used to procure security countermeasures (as defined in section 319F-2(c)(1)(B) of the PHS Act, as amended by this Act): *Provided further*, That paragraphs (1) and (7)(C) of subsection (c) of section 319F-2 of the PHS Act, but no other provisions of such section, shall apply to such security countermeasures procured with funds appropriated in this paragraph: *Provided further*, That products purchased with funds appropriated in this paragraph may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F-2 of the PHS Act: *Provided further*, That countermeasures related to the Zika virus procured

with funds appropriated in this paragraph shall be deemed to be security countermeasures as defined in section 319F-2(c)(1) of the PHS Act, and paragraph (7)(C), but no other provision, of such section 319F-2(c) shall apply to procurements of such countermeasures: *Provided further*, That \$75,000,000 shall be transferred to “Social Services Block Grant” for health services, notwithstanding section 2005(a)(4) of the Social Security Act, in territories with active or local transmission cases of the Zika virus, as confirmed by the Centers for Disease Control and Prevention: *Provided further*, That the Secretary of Health and Human Services shall distribute funds transferred to the “Social Services Block Grant” in this paragraph to such territories in accordance with objective criteria that are made available to the public: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS CHAPTER
(INCLUDING TRANSFER OF FUNDS)

SEC. _____. For purposes of preventing, preparing for, and responding to Zika virus, other vector-borne diseases, and related health outcomes domestically and internationally, the Secretary of Health and Human Services may use funds provided in this chapter to acquire, lease, construct, alter, renovate, equip, furnish, or manage facilities outside of the United States, as necessary to conduct such programs, in consultation with the Secretary of State, either directly for the use of the United States Government or for the use, pursuant to grants, direct assistance, or cooperative agreements, of public or nonprofit private institutions or agencies in participating foreign countries.

SEC. _____. Funds appropriated by this chapter may be used by the heads of the Department of Health and Human Services, Department of State, and the Agency for International Development to appoint, without regard to the provisions of sections 3309 through 3319 of title 5 of the United States Code, candidates needed for positions to perform critical work relating to Zika response for which—

- (1) public notice has been given; and
- (2) the Secretary of Health and Human Services has determined that such a public health threat exists.

SEC. _____. Funds appropriated in this chapter may be transferred to, and merged with, other appropriation accounts under the headings “Centers for Disease Control and Prevention”, “Public Health and Social Services Emergency Fund”, “Health Resources and Services Administration”, and “National Institutes of Health” for the purposes specified in this chapter following consultation with the Office of Management and Budget: *Provided*, That the Committees on Appropriations shall be notified 10 days in advance of any such transfer: *Provided further*, That, upon a determination that all or part of the funds transferred from an appropriation are not necessary, such amounts may be transferred back to that appropriation: *Provided further*, That none of the funds made available by this chapter may be transferred pursuant to the authority in section 206 of division G of Public Law 113-235 or section 241(a) of the PHS Act.

SEC. _____. Not later than 30 days after enactment of this Act, the Secretary of Health and Human Services shall provide a detailed spend plan of anticipated uses of funds made available in this chapter, including estimated personnel and administrative costs, to the Committees on Appropriations. The Secretary of Health and Human Services should also provide quarterly obligation updates to

the Committees until all funds are expended or expire.

CHAPTER 2
DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS
DIPLOMATIC AND CONSULAR PROGRAMS

For an additional amount for fiscal year 2016 for “Diplomatic and Consular Programs”, \$14,594,000, to remain available until September 30, 2017, for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That up to \$4,000,000 may be made available for medical evacuation costs of any other Department or agency of the United States under the Chief of Mission authority, and may be transferred to any other appropriation of such Department or agency for such costs: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

EMERGENCIES IN THE DIPLOMATIC AND
CONSULAR SERVICE

For an additional amount for fiscal year 2016 for “Emergencies in the Diplomatic and Consular Services”, \$4,000,000 for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases, to remain available until expended: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

REPATRIATION LOANS PROGRAM ACCOUNT

For an additional amount for fiscal year 2016 for “Repatriation Loans Program Account” for the cost of direct loans, \$1,000,000, to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases, to remain available until expended: *Provided*, That such costs, including costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That such funds are available to subsidize an additional amount of gross obligations for the principal amount of direct loans not to exceed \$1,880,406: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES AGENCY FOR INTERNATIONAL
DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT
OPERATING EXPENSES

For an additional amount for fiscal year 2016 for “Operating Expenses”, \$10,000,000, to remain available until September 30, 2017, for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

BILATERAL ECONOMIC ASSISTANCE
FUNDS APPROPRIATED TO THE PRESIDENT
GLOBAL HEALTH PROGRAMS

For an additional amount for fiscal year 2016 for “Global Health Programs”, \$211,000,000, to remain available until expended, for necessary expenses for assistance or research to prevent, treat, or otherwise respond to the Zika virus and related health

outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such funds may be made available for multi-year funding commitments to incentivize the development of global health technologies, following consultation with the Committees on Appropriations: *Provided further*, That none of the funds appropriated in this chapter may be made available for the Grand Challenges for Development program: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INTERNATIONAL SECURITY ASSISTANCE
DEPARTMENT OF STATE
NONPROLIFERATION, ANTI-TERRORISM,
DEMINE AND RELATED PROGRAMS

For an additional amount for fiscal year 2016 for “Nonproliferation, Anti-Terrorism, Demining and Related Programs”, \$4,000,000, to remain available until September 30, 2017, for necessary expenses to support response and research efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MULTILATERAL ASSISTANCE
FUNDS APPROPRIATED TO THE PRESIDENT
INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For an additional amount for fiscal year 2016 for “International Organizations and Programs”, \$13,500,000, to remain available until September 30, 2017, for necessary expenses to support response and research efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That section 307(a) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated under this heading: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS CHAPTER
(INCLUDING TRANSFER OF FUNDS)

SEC. _____. (a) Funds appropriated by this chapter under the headings “Global Health Programs”, “Nonproliferation, Anti-terrorism, Demining and Related Programs”, “International Organizations and Programs”, and “Operating Expenses” may be transferred to, and merged with, funds appropriated by this chapter under such headings to carry out the purposes of this chapter.

(b) Funds appropriated by this chapter under the headings “Diplomatic and Consular Programs”, “Emergencies in the Diplomatic and Consular Service”, and “Repatriation Loans Program Account” may be transferred to, and merged with, funds appropriated by this chapter under such headings to carry out the purposes of this chapter.

(c) The transfer authorities provided by this section are in addition to any other transfer authority provided by law.

(d) Upon a determination that all or part of the funds transferred pursuant to the authorities provided by this section are not necessary for such purposes, such amounts may be transferred back to such appropriations.

(e) No funds shall be transferred pursuant to this section unless at least 15 days prior to making such transfer the Secretary of State or the Administrator of the United

States Agency for International Development (USAID), as appropriate, notifies the Committees on Appropriations in writing of the details of any such transfer.

NOTIFICATION REQUIREMENT

SEC. _____. Funds appropriated by this chapter that are made available to respond to the Zika virus outbreak, other vector-borne diseases, or other infectious diseases shall not be available for obligation unless the Secretary of State or the USAID Administrator, as appropriate, notifies the Committees on Appropriations in writing at least 15 days in advance of such obligation.

SPEND PLAN REQUIREMENT

SEC. _____. Not later than 45 days after the date of enactment of this Act and prior to the obligation of funds made available by this chapter to respond to the Zika virus outbreak, other vector-borne diseases, or other infectious diseases, the Secretary of State and the USAID Administrator, as appropriate, shall submit spend plans to the Committees on Appropriations on the anticipated uses of funds on a country and project basis, including estimated personnel and administrative costs: *Provided*, That such plans shall be updated and submitted to the Committee on Appropriations every 90 days until September 30, 2017, and every 180 days thereafter until all funds have been fully expended.

COMPTROLLER GENERAL OVERSIGHT

SEC. _____. Of the funds appropriated by this chapter, up to \$500,000 shall be made available to the Comptroller General of the United States, to remain available until expended, for oversight of activities supported pursuant to this chapter with funds appropriated by this chapter: *Provided*, That the Secretary of State and USAID Administrator, as appropriate, and the Comptroller General shall consult with the Committees on Appropriations prior to obligating such funds.

RESCISSION

SEC. _____. Of the unobligated balances available under the heading “Operating Expenses” in title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113-235), \$10,000,000 are rescinded: *Provided*, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CHAPTER 3

REMOVING BARRIERS TO COMBATING THE ZIKA VIRUS AND MOSQUITO-BORNE TRANSMISSION OF DISEASE

REMOVING BARRIERS TO COMBATING THE ZIKA VIRUS AND MOSQUITO-BORNE TRANSMISSION OF DISEASE

SEC. _____. Section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342) is amended by adding at the end the following: “(s) MOSQUITO CONTROL WAIVER.—Notwithstanding any other provision of this section, the Administrator (or a State, in the case of a permit program approved under subsection (b)) shall not require a permit for a discharge from the application by an entity authorized under State or local law, such as a vector control district, of a pesticide in compliance with all relevant requirements of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.) to control mosquitos or mosquito larvae to protect the public health and welfare, including for the prevention or control of the Zika virus, West Nile virus, or dengue fever. The Administrator shall not directly or indirectly require any State to require such a permit.”.

CHAPTER 4

GENERAL PROVISIONS—THIS TITLE

EXTENSION OF AUTHORITIES AND PROVISIONS

SEC. _____. Unless otherwise provided for by this title, the additional amounts appropriated pursuant to this title for fiscal year 2016 are subject to the requirements for funds contained in the Consolidated Appropriations Act, 2016 (Public Law 114-113).

PERSONAL SERVICE CONTRACTORS

SEC. _____. Funds made available by this title to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases may be used to enter into contracts with individuals for the provision of personal services (as described in section 104 of part 37 of title 48, Code of Federal Regulations (48 CFR 37.104)), within the United States and abroad, subject to prior consultation with, and the notification procedures of, the Committees on Appropriations: *Provided*, That such individuals may not be deemed employees of the United States for the purpose of any law administered by the Office of Personnel Management.

DESIGNATION REQUIREMENT

SEC. _____. Each amount designated in this title by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

EFFECTIVE DATE

SEC. _____. This title shall become effective immediately upon enactment of this Act.

RESCISSION

SEC. _____. From amounts appropriated for the Prevention and Public Health Fund under section 4002 of the Patient Protection and Affordable Care Act (42 U.S.C. 300u-11)—

- (1) for fiscal year 2017, \$931,000,000 shall be rescinded on the date on which such amounts are available for obligation; and
- (2) for fiscal year 2018, \$200,000,000 shall be rescinded on the date on which such amounts are available for obligation.

SHORT TITLE

SEC. _____. This title may be cited as the “Emergency Supplemental Appropriations for Zika Response and Preparedness Act, 2016”.

AMENDMENT NO. 3900, AS MODIFIED

Ms. COLLINS. Mr. President, I ask unanimous consent that the Blunt amendment No. 3900 be modified with the changes that are at the desk.

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

The amendment, as modified, is as follows:

(Purpose: Zika response and preparedness)

At the appropriate place in division B, insert the following:

TITLE ____

ZIKA RESPONSE AND PREPAREDNESS

CHAPTER 1

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

PRIMARY HEALTH CARE

For an additional amount for fiscal year 2016 for “Primary Health Care”, \$40,000,000 to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and

internationally: *Provided*, That funds appropriated in this paragraph shall be used to expand the delivery of primary health services authorized by section 330 of the Public Health Service (“PHS”) Act in Puerto Rico and other territories: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

HEALTH WORKFORCE

For an additional amount for fiscal year 2016 for “Health Workforce”, \$6,000,000 to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally: *Provided*, That funds appropriated in this paragraph may, for purposes of providing primary health services in areas affected by Zika virus or other vector-borne diseases, be used to assign National Health Service Corps (“NHSC”) members to Puerto Rico and other Territories, notwithstanding the assignment priorities and limitations in or under sections 333(a)(1)(D), 333(b), or 333A(a) of the PHS Act, and to make NHSC Loan Repayment Program awards under section 338B of such Act: *Provided further*, That for purposes of the previous proviso, section 331(a)(3)(D) of the PHS Act shall be applied as if the term “primary health services” included health services regarding pediatric subspecialists: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MATERNAL AND CHILD HEALTH

For an additional amount for fiscal year 2016 for “Maternal and Child Health”, \$5,000,000 to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally: *Provided*, That funds appropriated in this paragraph may be awarded for projects of regional and national significance in Puerto Rico and other Territories authorized under section 501 of the Social Security Act, notwithstanding section 502 of such Act: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CENTERS FOR DISEASE CONTROL AND PREVENTION

CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

For an additional amount for fiscal year 2016 for “CDC-Wide Activities and Program Support”, \$449,000,000, to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally; and to carry out titles II, III, and XVII of the PHS Act with respect to domestic preparedness and global health: *Provided*, That products purchased with these funds may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F-2 of the PHS Act: *Provided further*, That funds may be used for purchase and insurance of official motor vehicles in foreign countries: *Provided further*, That the provisions in section 317S of the PHS Act shall not apply to the use of funds appropriated in this paragraph: *Provided further*, That funds appropriated in this paragraph may be used for grants for the construction, alteration, or renovation of non-federally owned facilities to improve preparedness and response capability at the State and local level: *Provided further*, That of the amount appropriated in this paragraph, \$88,000,000 may be

used to reimburse accounts administered by the Centers for Disease Control and Prevention for obligations incurred for Zika virus response prior to the enactment of this Act: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL INSTITUTES OF HEALTH
NATIONAL INSTITUTE OF ALLERGY AND
INFECTIOUS DISEASES

For an additional amount for fiscal year 2016 for “National Institute of Allergy and Infectious Diseases”, \$200,000,000, to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally, including expenses related to carrying out section 301 and title IV of the PHS Act: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE SECRETARY
PUBLIC HEALTH AND SOCIAL SERVICES
EMERGENCY FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for fiscal year 2016 for “Public Health and Social Services Emergency Fund”, \$150,000,000, to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, other vector-borne diseases, and related health outcomes, domestically and internationally; to develop necessary countermeasures and vaccines, including the development and purchase of vaccines, therapeutics, diagnostics, necessary medical supplies, and administrative activities; for carrying out titles II, III, and XVII of the PHS Act with respect to domestic preparedness and global health; and for additional payments for distribution as provided for under the “Social Services Block Grant Program”: *Provided*, That funds appropriated in this paragraph may be used to procure security countermeasures (as defined in section 319F-2(c)(1)(B) of the PHS Act, as amended by this Act): *Provided further*, That paragraphs (1) and (7)(C) of subsection (c) of section 319F-2 of the PHS Act, but no other provisions of such section, shall apply to such security countermeasures procured with funds appropriated in this paragraph: *Provided further*, That products purchased with funds appropriated in this paragraph may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F-2 of the PHS Act: *Provided further*, That countermeasures related to the Zika virus procured with funds appropriated in this paragraph shall be deemed to be security countermeasures as defined in section 319F-2(c)(1) of the PHS Act, and paragraph (7)(C), but no other provision, of such section 319F-2(c) shall apply to procurements of such countermeasures: *Provided further*, That \$75,000,000 shall be transferred to “Social Services Block Grant” for health services, notwithstanding section 2005(a)(4) of the Social Security Act, in territories with active or local transmission cases of the Zika virus, as confirmed by the Centers for Disease Control and Prevention: *Provided further*, That the Secretary of Health and Human Services shall distribute funds transferred to the “Social Services Block Grant” in this paragraph to such territories in accordance with objective criteria that are made available to the public: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section

251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS CHAPTER
(INCLUDING TRANSFER OF FUNDS)

SEC. _____. For purposes of preventing, preparing for, and responding to Zika virus, other vector-borne diseases, and related health outcomes domestically and internationally, the Secretary of Health and Human Services may use funds provided in this chapter to acquire, lease, construct, alter, renovate, equip, furnish, or manage facilities outside of the United States, as necessary to conduct such programs, in consultation with the Secretary of State, either directly for the use of the United States Government or for the use, pursuant to grants, direct assistance, or cooperative agreements, of public or nonprofit private institutions or agencies in participating foreign countries.

SEC. _____. Funds appropriated by this chapter may be used by the heads of the Department of Health and Human Services, Department of State, and the Agency for International Development to appoint, without regard to the provisions of sections 3309 through 3319 of title 5 of the United States Code, candidates needed for positions to perform critical work relating to Zika response for which—

- (1) public notice has been given; and
- (2) the Secretary of Health and Human Services has determined that such a public health threat exists.

SEC. _____. Funds appropriated in this chapter may be transferred to, and merged with, other appropriation accounts under the headings “Centers for Disease Control and Prevention”, “Public Health and Social Services Emergency Fund”, “Health Resources and Services Administration”, and “National Institutes of Health” for the purposes specified in this chapter following consultation with the Office of Management and Budget: *Provided*, That the Committees on Appropriations shall be notified 10 days in advance of any such transfer: *Provided further*, That, upon a determination that all or part of the funds transferred from an appropriation are not necessary, such amounts may be transferred back to that appropriation: *Provided further*, That none of the funds made available by this chapter may be transferred pursuant to the authority in section 206 of division G of Public Law 113-235 or section 241(a) of the PHS Act.

SEC. _____. Not later than 30 days after enactment of this Act, the Secretary of Health and Human Services shall provide a detailed spend plan of anticipated uses of funds made available in this chapter, including estimated personnel and administrative costs, to the Committees on Appropriations. The Secretary of Health and Human Services should also provide quarterly obligation updates to the Committees until all funds are expended or expire.

CHAPTER 2

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS
DIPLOMATIC AND CONSULAR PROGRAMS

For an additional amount for fiscal year 2016 for “Diplomatic and Consular Programs”, \$14,594,000, to remain available until September 30, 2017, for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That up to \$4,000,000 may be made available for medical evacuation costs of any other Department or agency of the United States under Chief of Mission authority, and may be transferred to any other appropriation of such Department or agency for such costs: *Provided further*, That such amount is designated by the Congress as an

emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

EMERGENCIES IN THE DIPLOMATIC AND
CONSULAR SERVICE

For an additional amount for fiscal year 2016 for “Emergencies in the Diplomatic and Consular Service”, \$4,000,000 for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases, to remain available until expended: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

REPATRIATION LOANS PROGRAM ACCOUNT

For an additional amount for fiscal year 2016 for “Repatriation Loans Program Account” for the cost of direct loans, \$1,000,000, to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases, to remain available until expended: *Provided*, That such costs, including costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That such funds are available to subsidize an additional amount of gross obligations for the principal amount of direct loans not to exceed \$1,880,406: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES AGENCY FOR INTERNATIONAL
DEVELOPMENT

FUNDS APPROPRIATED TO THE PRESIDENT

OPERATING EXPENSES

For an additional amount for fiscal year 2016 for “Operating Expenses”, \$10,000,000, to remain available until September 30, 2017, for necessary expenses to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

GLOBAL HEALTH PROGRAMS

For an additional amount for fiscal year 2016 for “Global Health Programs”, \$211,000,000, to remain available until expended, for necessary expenses for assistance or research to prevent, treat, or otherwise respond to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such funds may be made available for multi-year funding commitments to incentivize the development of global health technologies, following consultation with the Committees on Appropriations: *Provided further*, That none of the funds appropriated in this chapter may be made available for the Grand Challenges for Development program: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

NONPROLIFERATION, ANTI-TERRORISM,
DEMINEING AND RELATED PROGRAMS

For an additional amount for fiscal year 2016 for “Nonproliferation, Anti-terrorism, Demining and Related Programs”, \$4,000,000,

to remain available until September 30, 2017, for necessary expenses to support response and research efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MULTILATERAL ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For an additional amount for fiscal year 2016 for “International Organizations and Programs”, \$13,500,000, to remain available until September 30, 2017 for necessary expenses to support response and research efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases: *Provided*, That section 307(a) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated under this heading: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS CHAPTER

(INCLUDING TRANSFER OF FUNDS)

SEC. _____. (a) Funds appropriated by this chapter under the headings “Global Health Programs”, “Nonproliferation, Anti-terrorism, Demining and Related Programs”, “International Organizations and Programs”, and “Operating Expenses” may be transferred to, and merged with, funds appropriated by this chapter under such headings to carry out the purposes of this chapter.

(b) Funds appropriated by this chapter under the headings “Diplomatic and Consular Programs”, “Emergencies in the Diplomatic and Consular Service”, and “Repatriation Loans Program Account” may be transferred to, and merged with, funds appropriated by this chapter under such headings to carry out the purposes of this chapter.

(c) The transfer authorities provided by this section are in addition to any other transfer authority provided by law.

(d) Upon a determination that all or part of the funds transferred pursuant to the authorities provided by this section are not necessary for such purposes, such amounts may be transferred back to such appropriations.

(e) No funds shall be transferred pursuant to this section unless at least 15 days prior to making such transfer the Secretary of State or the Administrator of the United States Agency for International Development (USAID), as appropriate, notifies the Committees on Appropriations in writing of the details of any such transfer.

NOTIFICATION REQUIREMENT

SEC. _____. Funds appropriated by this chapter that are made available to respond to the Zika virus outbreak, other vector-borne diseases, or other infectious diseases shall not be available for obligation unless the Secretary of State or the USAID Administrator, as appropriate, notifies the Committees on Appropriations in writing at least 15 days in advance of such obligation.

SPEND PLAN REQUIREMENT

SEC. _____. Not later than 45 days after enactment of this Act and prior to the obligation of funds made available by this chapter to respond to the Zika virus outbreak, other vector-borne diseases, or other infectious diseases, the Secretary of State and the USAID Administrator, as appropriate, shall

submit spend plans to the Committees on Appropriations on the anticipated uses of funds on a country and project basis, including estimated personnel and administrative costs: *Provided*, That such plans shall be updated and submitted to the Committee on Appropriations every 90 days until September 30, 2017, and every 180 days thereafter until all funds have been fully expended.

COMPTROLLER GENERAL OVERSIGHT

SEC. _____. Of the funds appropriated by this chapter, up to \$500,000 shall be made available to the Comptroller General of the United States, to remain available until expended, for oversight of activities supported pursuant to this chapter with funds appropriated by this chapter: *Provided*, That the Secretary of State and USAID Administrator, as appropriate, and the Comptroller General shall consult with the Committees on Appropriations prior to obligating such funds.

RESCISSION

SEC. _____. Of the unobligated balances available under the heading “Operating Expenses” in title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113-235), \$10,000,000 are rescinded: *Provided*, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CHAPTER 3

GENERAL PROVISIONS—THIS TITLE

EXTENSION OF AUTHORITIES AND PROVISIONS

SEC. _____. Unless otherwise provided for by this title, the additional amounts appropriated pursuant to this title for fiscal year 2016 are subject to the requirements for funds contained in the Consolidated Appropriations Act, 2016 (Public Law 114-113).

PERSONAL SERVICE CONTRACTORS

SEC. _____. Funds made available by this title to support response efforts related to the Zika virus and related health outcomes, other vector-borne diseases, or other infectious diseases may be used to enter into contracts with individuals for the provision of personal services (as described in section 104 of part 37 of title 48, Code of Federal Regulations (48 CFR 37.104)), within the United States and abroad, subject to prior consultation with, and the notification procedures of, the Committees on Appropriations: *Provided*, That such individuals may not be deemed employees of the United States for the purpose of any law administered by the Office of Personnel Management.

DESIGNATION REQUIREMENT

SEC. _____. Each amount designated in this title by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

EFFECTIVE DATE

SEC. _____. This title shall become effective immediately upon enactment of this Act.

Ms. COLLINS. Mr. President, that allowed us to move forward on the appropriations bill we are now considering. I am very pleased, and I thank the ranking member for working so cooperatively, and I thank all of the sponsors of these amendments for working with us so we can start to make real progress on this appropriations bill.

MORNING BUSINESS

Ms. COLLINS. 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.

NATIONAL POLICE WEEK

Mr. GRASSLEY. Mr. President, I will be submitting a bipartisan resolution to commemorate National Police Week, which this year began on Sunday, May 15, and ends on Saturday, May 21.

Senator LEAHY and 52 others have joined me as original cosponsors of the measure. The theme of this year's Police Week is “Honoring Our Heroes.”

National Police Week is dedicated to the brave men and women in blue who selflessly protect and serve our communities every hour of every day of every week and in every community across the United States.

The week affords an opportunity to honor those who have made the ultimate sacrifice while striving to make our neighborhoods safer and more secure.

Multiple events have taken place in Washington, DC over the past week to not only remember those officers who tragically lost their lives in the line of duty but also to honor outstanding acts of valor and service by many others.

Tens of thousands of police officers as well as their friends and family members have gathered in our nation's capital for these events, which included the Annual Blue Mass, a Candlelight Vigil and a Police Unity Tour Arrival Ceremony, among others.

Yesterday was National Peace Officers Memorial Day and thousands gathered on the West Front of the Capitol for the 35th Annual National Peace Officers Memorial Service.

This solemn service offered an opportunity for all of us to pay our respects to fallen officers and the families, communities, and law enforcement agencies that have been permanently altered because they paid the ultimate sacrifice.

We owe these brave men and women our utmost respect and gratitude as we honor their noble profession this week.

Each of the officers killed in the line of duty this year started their shift with the same goals: do some good, backup my fellow officers, and return home safely.

Some of these officers had dedicated decades of their lives to protecting their communities.

One of these officers was murdered mere hours after being sworn to her oath of service.

At the National Law Enforcement Officers Memorial, the names of some 200 Iowans are inscribed amongst their law enforcement family.

Carved into the Memorial's walls are the names of more than 20,000 men and

women who have been killed in the line of duty throughout U.S. history.

Each are unique in their own personal stories but they are uniform in their fidelity to truth and justice.

The individuals are heroes, not because of the manner in which they died but because time and again they answered a call to do right, impervious to the constant lurking of danger.

Regrettably, 123 new names of officers killed in the line of duty in 2015 will be added to the rolls this week and we know that they will not be the last.

Mr. President, the men and women of law enforcement make sacrifices both big and small, frequently missing family celebrations and holidays because they believe in serving something greater than themselves.

The work of law enforcement is not a job, it is a calling.

That calling and those officers' devotion to duty merits our admiration and we are deeply indebted to them.

I call on all Americans this week to pause and contemplate the safety and security they enjoy.

We all must recognize that such peace is the result of sacrifices made by the brave men and women of law enforcement.

I also want to take this opportunity to urge my colleagues to support this year's resolution designating National Police Week.

ADAM WALSH REAUTHORIZATION ACT OF 2016

Mr. LEAHY. Mr. President, hopefully this week the Senate will vote on legislation to reauthorize key elements of the Adam Walsh Act. I supported this important law when it was first enacted nearly 10 years ago, and I am proud to be a cosponsor of this reauthorization bill. Over the years, I have worked closely with John Walsh and others who have been such tireless advocates on behalf of missing and exploited children. And as a Senator and former prosecutor, but most importantly, as a father and a grandfather, I take seriously my duty to protect the children of Vermont and every community throughout the country.

The Adam Walsh Reauthorization Act will reauthorize two important programs that assist State and local law enforcement agencies to monitor and apprehend sex offenders. Specifically, this legislation authorizes the Attorney General to continue providing grants to State and local law enforcement agencies in their efforts to improve sex offender registry systems. The bill also reauthorizes funding for grants to improve information sharing and verification and supports the work of the U.S. Marshals Service in helping State and local law enforcement to locate and apprehend sex offenders who fail to comply with registration requirements.

Last Congress, I was proud to help lead the fight to reauthorize the National Center for Missing and Exploited

Children, NCMEC, which has served for more than three decades as a national clearinghouse on issues related to missing and exploited children. I know that the center works closely with the marshals and other Federal, State, and local law enforcement agencies, and the Adam Walsh Reauthorization Act will help further our support for these collaborative efforts.

The bill also includes an important set of provisions authored by Senator SHAHEEN to protect the rights of sexual assault survivors. I want to thank and applaud Senator SHAHEEN for her hard work and leadership on the Sexual Assault Survivors Rights Act. As an original cosponsor of her bill, I supported the inclusion of her important measure as part of this bill.

I encourage all Senators to support this bill. I hope that the House will take it up and promptly pass it so that it can be signed into law by the President. There is no need to delay any longer our support for the Federal, State, and local enforcement agencies that work tirelessly to protect the children of our community. But once this bill becomes law, our job does not end there. It is not sufficient to just pay lip service to this issue and allow Congress to pat itself on the back for passing an authorization bill. Just as we have seen with our efforts to combat the opioid abuse epidemic, a bill that authorizes programs is important and worthy of support, but ultimately an empty promise if it is not backed up with the actual Federal resources that Congress authorizes. I will keep fighting to ensure that Congress puts its money where its mouth is and provides the funding that is necessary to support these important efforts. I will continue fighting to improve our laws so that we protect the most vulnerable in all of our communities.

ARMS SALES NOTIFICATION

Mr. CORKER. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 15-70, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Egypt for defense articles and services estimated to cost \$143 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

J.W. RIXEY,
Vice Admiral, USN, Director.

Enclosures.

TRANSMITTAL NO. 15-70

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

- (i) Prospective Purchaser: Egypt.
- (ii) Total Estimated Value:
Major Defense Equipment* \$116 million.
Other \$ 27 million.
Total \$143 million.

(iii) Description and Quantity or Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE) includes:
Twenty (20) UGM-84L Harpoon Block II Encapsulated Missiles

Two (2) Encapsulated Harpoon Certification Training Vehicles (EHCTV)

Non-MDE items also included are containers, spare and repair parts, support and test equipment, publications and technical documentation, personnel training and training equipment. U.S. Government and contractor representative technical assistance, engineering and logistics support services, and other related elements of logistics support.

(iv) Military Department: Navy (XX-P-LFW)

(v) Prior Related Cases, if any:

FMS case ABW-\$48M-12 Nov 97.

FMS case ABZ-\$68M-27 Mar 98.

FMS Case CAN-\$107M-22 Jan 03.

(vi) Sales Commission. Fee. etc.. Paid. Offered, or Acreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: May 11, 2016.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Egypt—UGM-84L Harpoon Block II Encapsulated Missiles

The Government of Egypt has requested a possible sale of:

Major Defense Equipment (MDE) includes:
Twenty (20) UGM-84L Harpoon Block II Encapsulated Missiles

Two (2) Encapsulated Harpoon Certification Training Vehicles (EHCTV).

Non-MDE items also included are containers, spare and repair parts, support and test equipment, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor representative technical assistance, engineering and logistics support services, and other related elements of logistics support.

This proposed sale will contribute to the foreign policy and national security of the United States by helping to improve the security of a strategic partner that has been and continues to be an important force for

political stability and economic progress in the Middle East.

The proposed sale of these submarine-launched missiles will support the Egyptian Navy's Type 209 submarines, increasing its anti-surface warfare and maritime security capabilities. Egypt already possesses Harpoon Block II missiles and will have no difficulty absorbing these additional weapons.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime contractor will be The Boeing Company in St. Louis, Missouri. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require annual trips to Egypt involving U.S. Government and contractor representatives for technical reviews, support, and oversight for approximately five years.

There will be no adverse impact on United States defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 15-70

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The UGM-84L Harpoon Block II Encapsulated missile system is classified CONFIDENTIAL. The Harpoon missile is a conventional tactical weapon system currently in service in the U.S. Navy and in 29 other foreign nations. It provides day, night, and adverse weather, stand-off capability and is an effective Anti-Surface Warfare missile. The UGM-84L incorporates components, software, and technical design information that are considered sensitive. The following components of the proposed sale are classified CONFIDENTIAL:

- a. The Radar Seeker
- b. The Global Positioning System/Inertial Navigation System (GPS/INS)
- c. Operational Flight Program Software
- d. Missile operational characteristics and performance data

These elements are essential to the ability of the Harpoon missile to selectively engage hostile targets under a wide range of operations, tactical, and environmental conditions.

2. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures which might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities. All defense articles and services listed in this transmittal have been authorized for release and export to Egypt.

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 16-08, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to the United Arab Emirates for defense articles and services estimated to cost \$476 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

JENNIFER ZAKRISKI,
(For J. W. Rixey, Vice Admiral, USN
Director).

Enclosures.

TRANSMITTAL NO. 16-08

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: United Arab Emirates.

(ii) Total Estimated Value:
Major Defense Equipment * \$ 468 million.
Other \$ 8 million.
TOTAL \$ 476 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):
Four-thousand (4,000) AGM-114 R/K Hellfire Missiles.

Also included are the following non-MDE items: training and technical assistance. The estimated cost is \$476 million.

(iv) Military Department: Army (AE-B-ZUF, Amendment 2)

(v) Prior Related Cases, if any:

AE-B-JAH-02 Jan 92—\$606 million.

AE-13-UDE-06 Jan 00—195 million.

AE-B-ZUF-31 Dec 08—\$174 million.

AE-B-ZUL-21 Oct 09—\$252 million.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: May 11, 2016.

* As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

United Arab Emirates—AGM-114 R/K Hellfire Category III Missiles

The United Arab Emirates (UAE) has requested a possible sale of four-thousand (4,000) AGM-114 R/K Hellfire Missiles over the next three (3) years in increments of one-thousand (1,000) to one-thousand five-hundred (1,500) missiles. Also included in this possible sale are training and technical assistance. The total estimated value of MDE is \$468 million. The overall total estimated value is \$476 million.

This proposed sale will enhance the foreign policy and national security of the United States by helping to improve the security of a partner country, which has been, and continues to be, an important force for political stability and economic progress in the Middle East.

The proposed sale will improve the UAE's capability to meet current and future threats and provide greater security for its critical infrastructure. The UAE will use the enhanced capability to strengthen its homeland defense. (UAE will have no difficulty absorbing these Hellfire missiles into its armed forces.)

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime contractor will be Lockheed Martin Missile and Fire Control in Dallas, Texas. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any U.S. Government or contractor representatives to the United Arab Emirates.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 16-08

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

Annex Item No. vii

(vii) Sensitivity of Technology

1. The AGM-114 R/K Hellfire Category III Missile is an air-to-ground missile used

against heavy and light armored targets, thin-skinned vehicles, urban structures, bunkers, caves, and personnel. The missile is Inertial Measurement Unit-based, with a variable delay fuze, improved safety and reliability. The highest level for release of the AGM-114 R/K Hellfire Missile Semi-Active Laser is SECRET, based upon the software. The highest level of classified information that could be disclosed by a proposed sale or by testing of the end item is SECRET: the highest level that must be disclosed for production, maintenance or training is CONFIDENTIAL. Reverse engineering could reveal CONFIDENTIAL information. Vulnerability data, countermeasures, vulnerability/susceptibility analyses and threat definitions are classified up to SECRET.

2. A determination has been made that the Government of the United Arab Emirates can provide substantially the same degree of protection for the technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

3. All defense articles and services listed in this transmittal have been authorized for release and export to the United Arab Emirates.

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(5)(A) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 01-16. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 11-37 of 28 October 2011.

Sincerely,

J. W. RIXEY,
Vice Admiral, USN, Director.

Enclosures.

TRANSMITTAL NO. 01-16

Report of Enhancement or Upgrade of Sensitivity of Technology or Capability (Sec. 36(B)(5)(A), AECA)

i. Purchaser: Government of Finland.
ii. Sec. 36(b)(1), AECA Transmittal No.: 11-37; Date: 28 October 2011; Military Department: Air Force.

iii. Description: On 28 October 2011, Congress was notified by Congressional certification transmittal number 11-37, of the possible sale under Section 36(b)(1) of the Arms Export Control Act (AECA) of 70 AGM-158 Joint Air-to-Surface Standoff Missiles (JASSM), 2 test vehicles, support and test equipment, publications, and technical documentation, personnel training and training equipment, U.S. Government and contractor engineering, technical and logistics support services, and other related elements of logistical and program support. The estimated total cost was \$255 million. Major Defense Equipment (MDE) constituted \$134 million of this total.

This transmittal reports the addition of one test vehicle, a JASSM Missile in which the warhead has been replaced by test instruments. The additional unit will result in a net increase in cost of MDE of \$2 million, resulting in a revised MDE cost of \$136 million. The total cost will remain at \$255 million.

iv. Significance: This report is being provided to increase the quantity of JASSM test vehicles Finland will procure from 2 to 3. The additional equipment provides Finland additional capability to support its JASSM missiles.

v. Justification: This proposed sale will contribute to the foreign policy goals and national security objectives of the United States by improving the security of a partner nation that remains an important force for political stability and economic progress in Europe. Finland intends to integrate the JASSM on its F/A-18C/D aircraft. Finland's acquisition of JASSM is intended to modernize its current aircraft munitions suite and counter potential threats. This will contribute to the Finnish military's goal of updating its capability. Finland will have no difficulty absorbing this additional test vehicle into its inventory.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

vi. Date Report Delivered to Congress: May 13, 2016.

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

Hon. BOB CORKER,
*Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(5)(A) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 0L-16. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 13-67 of January 14, 2014.

Sincerely,

J.W. RIXEY,
Vice Admiral, USN, Director.

Enclosure.

TRANSMITTAL NO. 0L-16

Report of Enhancement or Upgrade of Sensitivity of Technology or Capability (Sec. 36(B)(5)(A), AECA)

(i) Purchaser: Government of Singapore.
(ii) Sec. 36(b)(1), AECA Transmittal No.: 13-67; Date: 14 January 2014; Military Department: Air Force.

(iii) Description: On 14 January 2014, Congress was notified by Congressional certification transmittal number 13-67, of the possible sale under Section 36(b)(1) of the Arms Export Control Act of:

70 Active Electronically Scanned Array Radars (AESA)

70 LN-260 Embedded Global Positioning System/Inertial Navigation Systems (GPS/INS)

70 Joint Helmet Mounted Cueing Systems (JHMCS)

70 APX-125 Advanced Identification Friend or Foe (IFF) Combined Interrogator Transponders

3 AIM-9X Block II Captive Air Training Missiles

3 TGM-650 Maverick Missiles for testing and integration

4 GBU-50 Guided Bomb Units (GBU) for testing and integration

5 GBU-38 Joint Direct Attack Munitions for testing and integration

3 CBU-105 (D-4)/B Sensor Fused Weapons for testing and integration

1 AIS Interface Test Adapters for software updates

1 Classified Computer Program Identification Numbers (CPINs)

4 GBU-49 Enhanced Paveways for testing and integration

2 DSU-38 Laser Seekers for testing and integration

6 GBU-12 Paveway II, Guidance Control Units

Also included were Modular Mission Computers (MMC), a software maintenance facility, cockpit multifunction displays, radios, secure communications, video recorders; a

Joint Mission Planning System (JMPS); maintenance, repair and return, aircraft and ground support equipment, spare and repair parts, tool and test equipment; engine support equipment, publications and technical documentation; aerial refueling support, aircraft ferry services, flight test; personnel training and training equipment, site surveys, construction, U.S. Government and contractor engineering, technical, and logistics support services, and other related elements of logistics and program support. The estimated value of Major Defense Equipment (MDE) was \$330 million. The estimated total cost was \$2.43 billion.

This transmittal reports an update to the MDE status of the MMC and cockpit multifunction displays. The MMC and cockpit multifunction displays included in the notified sale were categorized as MDE by the U.S. Air Force in June and August 2015, respectively. Updating the designation of this equipment as MDE results in a \$62.2 million increase to the MDE value of this sale. The new estimated MDE value is \$392.2 million. The total case value will remain \$2.43 billion.

(iv) Significance: This equipment provides the Republic of Singapore Air Force improved situational awareness and the ability to interpret complex tactical situations more quickly and accurately.

(v) Justification: This proposed sale will contribute to the foreign policy and national security of the United States by increasing the ability of Singapore to contribute to regional security. The proposed sale will improve the security of a strategic partner which has been, and continues to be, an important force for political stability and economic progress in the Asia Pacific region.

(vi) Date Report Delivered to Congress: May 13, 2016.

TRIBUTE TO PASTOR BENNIE MORAN

Mrs. CAPITO. Mr. President, today I wish to honor Pastor Bennie Moran of Faith Baptist Church in Morgantown, WV, upon his retirement after 49 years of faith-based service to the community. Pastor Moran held the church's first service in 1967 from his home with only 10 people in attendance. Word of the newly formed church spread throughout the county, so the growing congregation had to meet at the Westover Community Building for the next 7 years. In 1973, the church moved into its first permanent location. Faith Baptist Church remained there until 1995, which is when they moved into their current location. Pastor Moran was there helping the church every step of the way.

Born in Fairmont, WV, Bennie grew up a son of a coal miner. He attended Fairmont State University for his undergraduate degree and received his doctorate from Bob Jones University. Bennie also proudly served his country in the U.S. Army. I am honored to represent this individual who has faithfully served both this country and his community. Today I ask my colleagues to join me in honoring Pastor Moran's service to Faith Baptist Church and the State of West Virginia.

ADDITIONAL STATEMENTS

HOLOCAUST MEMORIAL OBSERVANCES OF GREELEY AND NORTHERN COLORADO

● Mr. BENNET. Mr. President, for over 35 years, the Holocaust Memorial Observances of Greeley and Northern Colorado have worked to raise awareness of the atrocities of Nazi crimes and the perils of anti-Semitism and have fostered greater understanding and knowledge throughout Colorado. Through various educational experiences, the Holocaust Memorial Observances have preserved many of the stories of the courage and bravery that have come to define that period.

This month, the members of the Holocaust Memorial Observances committee hosted a series of discussions, films, and school visits, including a presentation by Holocaust survivor Peter Daniels, formerly known as Peter Berlowitz. Thanks to the committee's hard work, our children, grandchildren, and generations after them will have the opportunity to reflect on the experiences of people like Peter Daniels and his inspiring story of survival and determination.

It is my pleasure to commend the Holocaust Memorial Observances of Greeley and Northern Colorado committee for their dedicated service to this critical cause and to congratulate the committee on continuing to provide a platform for individuals to counteract hate and prejudice.●

TRIBUTE TO MARK VAN TINE

● Mr. BENNET. Mr. President, today I wish to recognize Mark Van Tine, vice president of Digital Aviation for the Boeing Company and chief executive officer of Jeppesen. He is retiring after 35 years with the company as a champion of the aviation industry.

Mr. Van Tine leads more than 3,800 employees at Jeppesen, which is headquartered in Englewood, CO, and serves general, business, military, and the commercial aviation sectors. Additionally, Jeppesen works closely with the aviation industry to improve the flying experience at Denver International Airport. A new navigation pattern design, for example, allows commercial airline pilots to descend in a single, smooth arc rather than a more traditional stair-step pattern, resulting in lower costs, fewer carbon emissions, and gentler landings.

Since 1981, Mr. Van Tine has held numerous positions at Jeppesen, including serving as its chief information officer, before being named CEO in 2002. In 2012, he became the leader of Boeing's new Digital Aviation organization, taking on the tremendous challenge of overseeing Jeppesen's digital transformation. This involved moving the entire global aviation industry to electronic charts, which reduced paperwork and increased efficiency.

Mr. Van Tine is also an active contributor to the general aviation community. He sits on the boards of the General Aviation Manufacturers Association, GAMA, and the Experimental Aircraft Association, EAA. In 2009, he served as GAMA's chairman and has since chaired the association's Security Issues Committee for the last 5 years. He also chairs the Jeppesen Aviation Foundation, which honors the legacy of Captain Elrey B. Jeppesen by supporting educational institutions, organizations, and students in the aviation community.

Encouraging students to become the next generation of aviation leaders is Mr. Van Tine's greatest passion. His commitment to education has ensured Jeppesen continues to support programs that introduce Colorado students to science, technology, engineering, and math using aviation. This includes initiatives such as Aurora Public Schools, Experience Aviation, Rocky Mountain BEST, Shades of Blue, and the Cherry Creek School Foundation.

Under Mr. Van Tine's leadership, Jeppesen has become a sponsor of numerous scholarships aimed at encouraging students to pursue aviation careers. Mr. Van Tine has also created a national STEM competition for high schoolers with the annual prize being a 2-week build of a Glasair Sportsman airplane. This June marks the third year Mr. Van Tine will join students to assemble an aircraft in the GAMA/Build-A-Plane Aviation Design Challenge.

I congratulate Mark Van Tine on his many accomplishments and years of outstanding service to the aviation community. He is truly an asset to the people of Colorado and to the millions of passengers around the world who are safer in the skies and at sea through the use of his navigation services.●

RECOGNIZING THE SLCC MEN'S BASKETBALL TEAM

● Mr. LEE. Mr. President, on March 14, 2016, the Salt Lake Community College men's basketball team walked into the Hutchinson Sports Arena in Hutchinson, KS, to play their first game in the NJCAA national tournament, the "Big Dance" for America's community colleges, ranked 13th out of 24 highly talented and competitive teams. Six days and five games later, the Salt Lake Bruins walked out as national champions, having bested the home team, Hutchinson Community College, 74 points to 64, in front of a sold-out crowd of more than 6,000 fans.

On behalf of the people of Utah, I commend the Salt Lake Community College 2015-2016 men's basketball team for their well-deserved championship. In particular, I applaud the Bruins not just because they won, but because of how they won.

When a team is awarded the national title after winning 5 games in 6 days, beating the opposition by an average of

more than 18 points, as the Bruins did in Hutchinson, it can be tempting to look back at the season and see a pre-ordained path to the championship. But, as head coach Todd Phillips surely knows, there are no guaranteed victories in basketball, only earned ones, even for a team as storied and successful as Salt Lake Community College.

Indeed, the story of the Salt Lake Bruins' championship season is one not of assured success, but obstacles overcome.

At the end of the regular season, the Bruins had lost five of their last seven games, finishing third in the Scenic West Athletic Conference, their worst performance in Coach Phillips' five seasons with the team.

Entering the regional tournament on a three-game losing streak, the team seemed to be fraying at the edges, their season on the brink of irrelevance. Something wasn't right. The team was playing well below its potential, and everyone knew it.

The easy response for the players and the coaches would have been to point fingers, assign blame, and begin looking forward to the fresh start always promised by the next season waiting around the corner.

But that is not the Salt Lake way. Instead of giving up, the team doubled down, rebuilding their confidence and rededicating themselves to each other and to their season. And they did this as all good teams must do: together.

The Salt Lake Bruins' always have plenty of stand-out athletes, and this season was no exception, but the 12-man roster that took home the national title truly played and won as a team.

To the 16 men who earned this championship, as players and as coaches, congratulations. Your legendary season—and the teamwork that made it possible—is an inspiration to the Nation and one of the many reasons I am proud to call Utah home.●

100TH ANNIVERSARY OF THE RESERVE OFFICERS' TRAINING CORPS AT THE UNIVERSITY OF OREGON

● Mr. WYDEN. Mr. President, this year marks the 100th anniversary of the Webfoot Warriors, the Reserve Officers' Training Corps program at the University of Oregon. As an alumnus of the University of Oregon Law School, I would like to commemorate this milestone. Reserve Officers' Training Corps, or ROTC, is a voluntary program offered at hundreds of schools across the country. Students who meet the eligibility requirements and stick with the program receive subsidized tuition and, after graduation, are commissioned as officers in the U.S. military. The ROTC curriculum consists of courses in military science and history as well as practical skills and leadership training.

The ROTC program we know today traces its roots to the National Defense

Act of 1916, a bill signed into law by President Woodrow Wilson barely a year before the United States entered World War I. Like many other university administrators of the day, Prince Lucien Campbell, the University of Oregon's president at the time, was a supporter of the program. President Campbell established the first ROTC curriculum at the University of Oregon, placing a retired British military officer—the appropriately named Lieutenant Colonel John Leader—in charge. More than 100 students participated in the first drill in March 1916.

The University of Oregon ROTC program commissioned its first officers in 1919, after the Allied victory in World War I, and the unit has produced some truly top-notch officers in the decades since. In fact, the Army Cadet Command awarded the unit a General Douglas MacArthur Award for the 2014-2015 academic year, recognizing it as one of the top eight Army ROTC programs in the country. According to the unit's records, the University of Oregon has produced more general officers than any nonmilitary ROTC program in the country. The program also counts a total of 47 flag officers among its graduates.

As Oregonians, we have long taken pride in serving our State and this great country, and the Webfoot Warriors are hardly an exception. As then-President Campbell put it himself, "the matter of military training in any school seems to me to be a training for better citizenship, rather than for war." Today I say thank you to all of the men and women of the Webfoot Warriors past and present, and I wish the University of Oregon ROTC program another 100 years of success.●

50TH ANNIVERSARY OF CLACKAMAS COMMUNITY COLLEGE

● Mr. WYDEN. Mr. President, today I wish to congratulate Clackamas Community College, CCC, in Clackamas County, OR, on 50 years of continued growth and achievement in providing valuable education to Oregon's citizens. From Gladstone, to Oregon City, to Wilsonville, CCC has grown to include three campuses and two extension sites. Now with campuses educating 35,000 students, CCC still has a community-minded focus and provides its communities with affordable education and training opportunities which aid in creating family-wage jobs.

Since 1966, CCC has prided itself on being a welcoming place for students seeking transfer degrees, specialized career technical education, or returning to finish a high school diploma. The college has over 80 career and technical programs, from automotive technology and renewable energy, to the ever-growing field of medical and dental assistance.

CCC has also grown into one of the top community colleges in the Nation

for our veterans, earning a Best in the West award from the Military Times last year. The college has made service to veterans and military families a high priority and an integral part of its campus identity. The college has several full-time veterans advocates on staff and the only Army Strong Community Center in the western U.S., connecting military families to the resources they need.

For 50 years, educators, administrators, and board members have followed their vision that has led to CCC being a fixture of achievement in northwest Oregon. And to help continue that tradition of achievement, CCC has recently launched the "Imagine Clackamas" project, which is a 2-year outreach effort designed to help the college identify where to adapt and expand its strengths. I am excited to see what new heights this great community college will reach as it thrives for decades to come.

It is an honor to represent Clackamas Community College in the U.S. Senate, and congratulations again to the college on its 50th anniversary.●

MESSAGE FROM THE HOUSE

At 2:03 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1818. An act to amend the Public Health Service Act to provide grants to States to streamline State requirements and procedures for veterans with military emergency medical training to become civilian emergency medical technicians.

H.R. 4586. An act to amend the Public Health Service Act to authorize grants to States for developing standing orders and educating health care professionals regarding the dispensing of opioid overdose reversal medication without person-specific prescriptions, and for other purposes.

H.R. 5046. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize the Attorney General to make grants to assist State and local governments in addressing the national epidemic of opioid abuse, and for other purposes.

The message further announced that pursuant to section 451 of the Workforce Innovation and Opportunity Act (Public Law 113-128) the Minority Leader appoints the following member on the part of the House of Representatives to the National Council on Disability: Mr. James T. Brett of Massachusetts.

The message also announced that pursuant to section 201(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6431) and the order of the House of January 6, 2015, the Speaker appoints the following members on the part of the House of Representatives to the Commission on International Religious Freedom for a term effective May 14, 2016, and ending May 14, 2018: Mr. Daniel I. Mark of Villanova, Pennsylvania and Ms. Kristina Arriaga of Alexandria, Virginia to succeed Dr. Robert P. George.

MEASURES REFERRED

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

H.R. 1818. An act to amend the Public Health Service Act to provide grants to States to streamline State requirements and procedures for veterans with military emergency medical training to become civilian emergency medical technicians; to the Committee on Health, Education, Labor, and Pensions.

H.R. 4586. An act to amend the Public Health Service Act to authorize grants to States for developing standing orders and educating health care professionals regarding the dispensing of opioid overdose reversal medication without person-specific prescriptions, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5046. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize the Attorney General to make grants to assist State and local governments in addressing the national epidemic of opioid abuse, and for other purposes; to the Committee on the Judiciary.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on May 13, 2016, she had presented to the President of the United States the following enrolled bills:

S. 32. An act to provide the Department of Justice with additional tools to target extraterritorial drug trafficking activity, and for other purposes.

S. 125. An act to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2020, and for other purposes.

S. 2755. An act to provide Capitol-flown flags to the immediate family of firefighters, law enforcement officers, members of rescue squads or ambulance crews, and public safety officers who are killed in the line of duty.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INHOFE, from the Committee on Environment and Public Works, without amendment:

S. 2808. A bill to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts (Rept. No. 114-254).

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1626. A bill to reauthorize Federal support for passenger rail programs, improve safety, streamline rail project delivery, and for other purposes.

By Mr. ISAKSON, from the Committee on Veterans' Affairs, without amendment:

S. 2921. A bill to amend title 38, United States Code, to improve the accountability of employees of the Department of Veterans Affairs, to improve health care and benefits for veterans, and for other purposes.

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. GRAHAM (for himself, Mr. WHITEHOUSE, and Mr. BLUMENTHAL):

S. 2931. A bill to amend title 18, United States Code, to protect Americans from cybercrime; to the Committee on the Judiciary.

By Mr. CASSIDY:

S. 2932. A bill to amend the Controlled Substances Act with respect to the provision of emergency medical services; to the Committee on Health, Education, Labor, and Pensions.

By Ms. BALDWIN (for herself, Mr. MORAN, and Mr. TILLIS):

S. 2933. A bill to prohibit certain health care providers from providing non-Department health care services to veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SCHUMER (for himself, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Mr. MURPHY, Mr. WYDEN, and Mr. MARKEY):

S. 2934. A bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

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

S. Res. 465. A resolution supporting the United States solar energy industry in its effort to bring low-cost, clean, 21st-century solar technology into homes and business across the United States; to the Committee on Energy and Natural Resources.

By Mr. GRASSLEY (for himself, Ms. STABENOW, Mr. FRANKEN, Mr. GARDNER, Ms. HEITKAMP, Mr. KAINE, Mr. PETERS, Ms. KLOBUCHAR, Mr. INHOFE, Mr. SCOTT, Mr. MERKLEY, Mrs. FEINSTEIN, and Mr. BLUMENTHAL):

S. Res. 466. 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; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WICKER (for himself and Mr. MERKLEY):

S. Res. 467. A resolution supporting the goals and ideals of National Nurses Week, to be observed from May 6 through May 12, 2016; considered and agreed to.

ADDITIONAL COSPONSORS

S. 553

At the request of Mr. CORKER, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 553, a bill to marshal resources to undertake a concerted, transformative effort that seeks to bring an end to modern slavery, and for other purposes.

S. 628

At the request of Ms. BALDWIN, the name of the Senator from New Mexico

(Mr. HEINRICH) was added as a cosponsor of S. 628, a bill to amend the Public Health Service Act to provide for the designation of maternity care health professional shortage areas.

S. 688

At the request of Mr. MANCHIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 688, a bill to amend title XVIII of the Social Security Act to adjust the Medicare hospital readmission reduction program to respond to patient disparities, and for other purposes.

S. 804

At the request of Mrs. SHAHEEN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 804, a bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes.

S. 884

At the request of Mr. BLUNT, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 884, a bill to improve access to emergency medical services, and for other purposes.

S. 1358

At the request of Ms. MURKOWSKI, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1358, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to inter in national cemeteries individuals who supported the United States in Laos during the Vietnam War era.

S. 1500

At the request of Mr. CRAPO, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 1500, a bill to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes.

S. 1714

At the request of Mr. MANCHIN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1714, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of America Pension Plan, and for other purposes.

S. 2010

At the request of Mr. BARRASSO, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2010, a bill to provide for phased-in payment of Social Security Disability Insurance payments during the waiting period for individuals with a terminal illness.

S. 2031

At the request of Mr. BARRASSO, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2031, a bill to reduce temporarily the royalty required to be paid for sodium produced on Federal lands, and for other purposes.

S. 2041

At the request of Mr. CASEY, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2041, a bill to promote the development of safe drugs for neonates.

S. 2051

At the request of Mr. CARPER, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 2051, a bill to improve, sustain, and transform the United States Postal Service.

S. 2178

At the request of Mr. BOOZMAN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2178, a bill to amend the Internal Revenue Code of 1986 to make permanent certain provisions of the Heartland, Habitat, Harvest, and Horticulture Act of 2008 relating to timber, and for other purposes.

S. 2196

At the request of Mr. PORTMAN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 2196, a bill to amend title XVIII of the Social Security Act to provide for the non-application of Medicare competitive acquisition rates to complex rehabilitative wheelchairs and accessories.

S. 2417

At the request of Mr. THUNE, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 2417, a bill to amend the Indian Health Care Improvement Act to allow the Indian Health Service to cover the cost of a copayment of an Indian or Alaska Native veteran receiving medical care or services from the Department of Veterans Affairs, and for other purposes.

S. 2424

At the request of Mr. PORTMAN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2424, a bill to amend the Public Health Service Act to reauthorize a program for early detection, diagnosis, and treatment regarding deaf and hard-of-hearing newborns, infants, and young children.

S. 2489

At the request of Mr. WHITEHOUSE, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 2489, a bill to ensure that persons who form corporations in the United States disclose the beneficial owners of those corporations, in order to prevent the formation of corporations with hidden owners, stop the misuse of United States corporations by wrongdoers, and assist law enforcement in detecting, preventing, and punishing terrorism, money laundering, tax evasion, and other criminal and civil misconduct involving United States corporations, and for other purposes.

S. 2499

At the request of Mr. HATCH, the name of the Senator from Arizona (Mr.

FLAKE) was added as a cosponsor of S. 2499, a bill to amend the Internal Revenue Code of 1986 to improve access to health care through expanded health savings accounts, and for other purposes.

S. 2569

At the request of Mr. PETERS, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2569, a bill to authorize the Director of the United States Geological Survey to conduct monitoring, assessment, science, and research, in support of the binational fisheries within the Great Lakes Basin, and for other purposes.

S. 2577

At the request of Mr. CORNYN, the names of the Senator from North Carolina (Mr. BURR) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 2577, a bill to protect crime victims' rights, to eliminate the substantial backlog of DNA and other forensic evidence samples to improve and expand the forensic science testing capacity of Federal, State, and local crime laboratories, to increase research and development of new testing technologies, to develop new training programs regarding the collection and use of forensic evidence, to provide post-conviction testing of DNA evidence to exonerate the innocent, to support accreditation efforts of forensic science laboratories and medical examiner offices, to address training and equipment needs, to improve the performance of counsel in State capital cases, and for other purposes.

S. 2598

At the request of Ms. WARREN, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 2598, a bill to require the Secretary of the Treasury to mint coins in recognition of the 60th anniversary of the Naismith Memorial Basketball Hall of Fame.

S. 2736

At the request of Mr. THUNE, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 2736, a bill to improve access to durable medical equipment for Medicare beneficiaries under the Medicare program, and for other purposes.

At the request of Ms. HEITKAMP, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 2736, *supra*.

S. 2795

At the request of Mr. INHOFE, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 2795, a bill to modernize the regulation of nuclear energy.

S. 2822

At the request of Mr. PORTMAN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 2822, a bill to continue the use of a 3-month quarter EHR reporting period for health care providers to demonstrate meaningful use for 2016 under

the Medicare and Medicaid EHR incentive payment programs, and for other purposes.

S. 2904

At the request of Mr. WHITEHOUSE, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 2904, 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. 2906

At the request of Mr. FRANKEN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2906, a bill to amend the Tariff Act of 1930 to require congressional approval of determinations to revoke the designation of the People's Republic of China as a nonmarket economy country for purposes of that Act.

S. 2921

At the request of Mr. ISAKSON, the names of the Senator from North Carolina (Mr. BURR), the Senator from Ohio (Mr. PORTMAN) and the Senator from Indiana (Mr. DONNELLY) were added as cosponsors of S. 2921, a bill to amend title 38, United States Code, to improve the accountability of employees of the Department of Veterans Affairs, to improve health care and benefits for veterans, and for other purposes.

S. CON. RES. 35

At the request of Mr. RUBIO, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. Con. Res. 35, a concurrent resolution expressing the sense of Congress that the United States should continue to exercise its veto in the United Nations Security Council on resolutions regarding the Israeli-Palestinian peace process.

S. CON. RES. 36

At the request of Mr. NELSON, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. Con. Res. 36, a concurrent resolution expressing support of the goal of ensuring that all Holocaust victims live with dignity, comfort, and security in their remaining years, and urging the Federal Republic of Germany to reaffirm its commitment to that goal through a financial commitment to comprehensively address the unique health and welfare needs of vulnerable Holocaust victims, including home care and other medically prescribed needs.

S. RES. 459

At the request of Mr. ISAKSON, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. Res. 459, a resolution recognizing the importance of cancer research and the vital contributions of scientists, clinicians, cancer survivors, and other patient advocates across the United States who are dedicated to finding a cure for cancer, and designating May 2016, as "National Cancer Research Month".

At the request of Mrs. FEINSTEIN, the names of the Senator from Iowa (Mr.

GRASSLEY) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. Res. 459, supra.

S. RES. 462

At the request of Mrs. MURRAY, the names of the Senator from Michigan (Ms. STABENOW), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from New Jersey (Mr. BOOKER) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. Res. 462, a resolution urging the United States Soccer Federation to immediately eliminate gender pay inequity and treat all athletes with the same respect and dignity.

AMENDMENT NO. 3900

At the request of Mr. BLUNT, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 3900 proposed to H.R. 2577, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 465—SUPPORTING THE UNITED STATES SOLAR ENERGY INDUSTRY IN ITS EFFORT TO BRING LOW-COST, CLEAN, 21ST-CENTURY SOLAR TECHNOLOGY INTO HOMES AND BUSINESS ACROSS THE UNITED STATES

Mr. HEINRICH (for himself and Mr. GARDNER) submitted the following resolution; which was referred to the Committee on Energy and Natural Resources:

S. RES. 465

Whereas the solar energy industry has reached 1,000,000 solar installations nationwide, a milestone that marks just the beginning of the role of solar energy as a mainstream power source;

Whereas although decades elapsed before the solar energy industry reached the 1,000,000 installation milestone, the solar energy industry projects that the solar energy industry will reach 2,000,000 installations in just 2 more years;

Whereas, as of December 2015, there are over 27 gigawatts of cumulative solar electric capacity operating in the United States, which is enough energy to power more than 5,400,000 average homes in the United States;

Whereas, as of December 2015, the United States solar energy industry provides employment opportunities for more than 208,000 solar workers in all 50 States and the solar energy industry is creating jobs at a rate 12 times higher than the rate of employment growth in the overall economy;

Whereas the United States solar energy industry is a leading employer of minorities, women, and veterans;

Whereas there are nearly 4,000 primary and secondary schools in the United States with active solar energy systems, which means that more than 2,700,000 students in the United States attend solar schools;

Whereas the cost of solar energy has dropped by 70 percent in the last 7 years and solar energy has brought billions of dollars in new investments to communities across the United States;

Whereas continued decreases in cost, new financing models, and innovative programs, such as community solar, have made solar power accessible to millions of homeowners of many incomes and backgrounds;

Whereas grid-connected solar energy reduces carbon emissions by more than 31,000,000 metric tons annually;

Whereas, by 2020, solar electric capacity will quadruple in size to nearly 100 gigawatts and employment in the solar energy industry will more than double to 420,000 workers in the United States; and

Whereas, having reached the milestone of 1,000,000 solar installations in the United States, solar energy should be supported by sound policies and continued private sector innovation and ingenuity that will propel the United States forward to a stronger economy and well-paying jobs: Now, therefore, be it

Resolved, That the Senate supports the United States solar energy industry in its effort to bring low-cost, clean, 21st-century solar technology into homes and business across the United States.

SENATE RESOLUTION 466—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

Mr. GRASSLEY (for himself, Ms. STABENOW, Mr. FRANKEN, Mr. GARDNER, Ms. HEITKAMP, Mr. KAINE, Mr. PETERS, Ms. KLOBUCHAR, Mr. INHOFE, Mr. SCOTT, Mr. MERKLEY, Mrs. FEINSTEIN, and Mr. BLUMENTHAL) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 466

Whereas National Foster Care Month was established more than 20 years ago to—

(1) bring foster-care issues to the forefront;

(2) highlight the importance of permanency for every child; and

(3) recognize the essential role that foster parents, social workers, and advocates have in the lives of children in foster care throughout the United States;

Whereas all children deserve a safe, loving, and permanent home;

Whereas the primary goal of the foster-care system is to ensure the safety and well-being of children while working to provide a safe, loving, and permanent home for each child;

Whereas there are approximately 415,000 children living in foster care;

Whereas there were approximately 255,000 youth that entered the foster-care system in 2014, while over 107,500 youth were eligible and awaiting adoption at the end of 2014;

Whereas children of color are more likely to stay in the foster-care system for longer periods of time and are less likely to be reunited with their biological families;

Whereas foster parents are the front-line caregivers for children who cannot safely remain with their biological parents and provide physical care, emotional support, education advocacy, and are the largest single source of families providing permanent homes for children leaving foster care to adoption;

Whereas children in foster care who are placed with relatives, compared to children

placed with nonrelatives, have more stability, including fewer changes in placements, have more positive perceptions of their placements, are more likely to be placed with their siblings, and demonstrate fewer behavioral problems;

Whereas some relative caregivers receive less financial assistance and support services than do foster caregivers;

Whereas recent studies show foster children enrolled in Medicaid were prescribed antipsychotic medications at nearly 4 times the rate of other children receiving Medicaid;

Whereas youth in foster care are much more likely to face educational instability with 65 percent of former foster children experiencing at least 7 school changes while in care;

Whereas an increased emphasis on prevention and reunification services is necessary to reduce the number of children that are forced to remain in the foster-care system;

Whereas more than 22,000 youth “age out” of foster care without a legal permanent connection to an adult or family;

Whereas the number of youth who age out of foster care has steadily increased for the past decade;

Whereas foster care is intended to be a temporary placement, but children remain in the foster-care system for an average of 2 years;

Whereas children in foster care experience an average of 3 different placements, which often leads to disruption of routines and the need to change schools and move away from siblings, extended families, and familiar surroundings;

Whereas children entering foster care often confront the widespread misperception that children in foster care are disruptive, unruly, and dangerous, even though placement in foster care is based on the actions of a parent or guardian, not the child;

Whereas children who age out of foster care lack the security or support of a biological or adoptive family and frequently struggle to secure affordable housing, obtain health insurance, pursue higher education, and acquire adequate employment;

Whereas on average, 8.5 percent of the positions in child protective services remain vacant;

Whereas due to heavy caseloads and limited resources, the average tenure for a worker in child protection services is just 3 years;

Whereas States, localities, and communities should be encouraged to invest resources in preventative and reunification services and postpermanency programs to ensure that more children in foster care are provided with safe, loving, and permanent placements;

Whereas Federal legislation over the past 3 decades, including the Adoption Assistance and Child Welfare Act of 1980 (Public Law 96-272), the Adoption and Safe Families Act of 1997 (Public Law 105-89), the Fostering Connections to Success and Increasing Adoptions Act of 2008 (Public Law 110-351), the Child and Family Services Improvement and Innovation Act (Public Law 112-34), and the Preventing Sex Trafficking and Strengthening Families Act (Public Law 113-183) provided new investments and services to improve the outcomes of children in the foster-care system;

Whereas May 2016 is an appropriate month to designate as National Foster Care Month to provide an opportunity to acknowledge the accomplishments of the child-welfare workforce, foster parents, advocacy community, and mentors for their dedication, accomplishments, and positive impact they have on the lives of children; and

Whereas much remains to be done to ensure that all children have a safe, loving, nurturing, and permanent family, regardless of age or special needs: Now, therefore, be it *Resolved*, That the Senate—

(1) supports the designation of National Foster Care Month;

(2) recognizes National Foster Care Month as an opportunity to raise awareness about the challenges that children face in the foster-care system;

(3) encourages Congress to implement policy to improve the lives of children in the foster-care system;

(4) acknowledges the special needs of children in the foster-care system;

(5) recognizes foster youth throughout the United States for their ongoing tenacity, courage, and resilience while facing life challenges;

(6) acknowledges the exceptional alumni of the foster-care system who serve as advocates and role models for youth who remain in care;

(7) honors the commitment and dedication of the individuals who work tirelessly to provide assistance and services to children in the foster-care system; and

(8) reaffirms the need to continue working to improve the outcomes of all children in the foster-care system through parts B and E of title IV of the Social Security Act (42 U.S.C. 601 et seq.) and other programs designed to—

(A) support vulnerable families;

(B) invest in prevention and reunification services;

(C) promote adoption in cases where reunification is not in the best interests of the child;

(D) adequately serve those children brought into the foster-care system; and

(E) facilitate the successful transition into adulthood for children that “age out” of the foster-care system.

SENATE RESOLUTION 467—SUPPORTING THE GOALS AND IDEALS OF NATIONAL NURSES WEEK, TO BE OBSERVED FROM MAY 6 THROUGH MAY 12, 2016

Mr. WICKER (for himself and Mr. MERKLEY) submitted the following resolution; which was considered and agreed to:

S. RES. 467

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 3,964,000 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 for each of the 13 years preceding the date of adoption of this resolution: 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 3909. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

SA 3910. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3911. Ms. KLOBUCHAR (for herself and Mr. TILLIS) submitted an amendment intended to be proposed by her to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3912. Ms. MURKOWSKI (for Mr. SULIVAN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3913. Mrs. FEINSTEIN (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3896

proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3914. Mr. TESTER (for himself and Mr. KIRK) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3915. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3916. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3917. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 3918. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3919. Ms. MIKULSKI (for herself, Mr. SHELBY, Mr. CARDIN, Mr. WARNER, Mr. KAINE, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 3920. Mr. BROWN (for himself, Mr. TOOMEY, Mr. SANDERS, Mrs. MURRAY, Mr. CASEY, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3921. Mr. FRANKEN (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 3922. Mrs. FEINSTEIN (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra.

SA 3923. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3924. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3925. Mr. GRASSLEY (for himself, Mrs. ERNST, Mr. INHOFE, Mr. MORAN, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3926. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3927. Mr. COONS (for himself, Mr. BOOKER, Mr. CASEY, and Mr. CARPER) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3928. Mr. LEE submitted an amendment intended to be proposed to amendment SA

3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

SA 3929. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3909. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

On page 103, line 18, insert “and, notwithstanding title I of that Act (42 U.S.C. 5301 et seq.), eligible Indian tribes may use funds made available under this paragraph for the construction of housing for law enforcement, health care, educational, technical, and other skilled workers” after “title”.

SA 3910. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 238, line 22, insert after “equipment” the following: “(including rehabilitative equipment for veterans entitled to a prosthetic appliance under chapter 17 of title 38, United States Code, which may include recreational sports equipment that provides an adaption or accommodation for the veteran, regardless of whether such equipment is intentionally designed to be adaptive equipment, such as hand cycles, recumbent bicycles, medically adapted upright bicycles, and upright bicycles)”.

SA 3911. Ms. KLOBUCHAR (for herself and Mr. TILLIS) submitted an amendment intended to be proposed by her to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

SEC. 251. ESTABLISHMENT OF CENTER OF EXCELLENCE IN PREVENTION, DIAGNOSIS, MITIGATION, TREATMENT, AND REHABILITATION OF HEALTH CONDITIONS RELATING TO EXPOSURE TO BURN PITS AND OTHER ENVIRONMENTAL EXPOSURES.

(a) IN GENERAL.—Subchapter II of chapter 73 of title 38, United States Code, is amended

by adding at the end the following new section:

“§ 7330B. Center of excellence in prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures

“(a) ESTABLISHMENT.—(1) The Secretary shall establish within the Department a center of excellence in the prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures to carry out the responsibilities specified in subsection (d).

“(2) The Secretary shall establish the center of excellence under paragraph (1) through the use of—

“(A) the directives and policies of the Department in effect as of the date of the enactment of this section;

“(B) the recommendations of the Comptroller General of the United States and Inspector General of the Department in effect as of such date; and

“(C) guidance issued by the Secretary of Defense under section 313 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239; 10 U.S.C. 1074 note).

“(b) SELECTION OF SITE.—In selecting the site for the center of excellence established under subsection (a), the Secretary shall consider entities that—

“(1) are equipped with the specialized equipment needed to study, diagnose, and treat health conditions relating to exposure to burn pits and other environmental exposures;

“(2) have a track record of publishing information relating to post-deployment health exposures among veterans who served in the Armed Forces in support of Operation Iraqi Freedom and Operation Enduring Freedom;

“(3) have collaborated with a geosciences department that has a medical geology division;

“(4) have developed animal models and in vitro models of dust immunology and lung injury consistent with the injuries of members of the Armed Forces who served in support of Operation Iraqi Freedom and Operation Enduring Freedom; and

“(5) have expertise in allergy and immunology, pulmonary diseases, and industrial and management engineering.

“(c) COLLABORATION.—The Secretary shall ensure that the center of excellence collaborates, to the maximum extent practicable, with the Secretary of Defense, institutions of higher education, and other appropriate public and private entities (including international entities) to carry out the responsibilities specified in subsection (d).

“(d) RESPONSIBILITIES.—The center of excellence shall have the following responsibilities:

“(1) To provide for the development, testing, and dissemination within the Department of best practices for the treatment of health conditions relating to exposure to burn pits and other environmental exposures.

“(2) To provide guidance for the health systems of the Department and the Department of Defense in determining the personnel required to provide quality health care for members of the Armed Forces and veterans with health conditions relating to exposure to burn pits and other environmental exposures.

“(3) To establish, implement, and oversee a comprehensive program to train health professionals of the Department and the Department of Defense in the treatment of health conditions relating to exposure to burn pits and other environmental exposures.

“(4) To facilitate advancements in the study of the short-term and long-term effects of exposure to burn pits and other environmental exposures.

“(5) To disseminate within medical facilities of the Department best practices for training health professionals with respect to health conditions relating to exposure to burn pits and other environmental exposures.

“(6) To conduct basic science and translational research on health conditions relating to exposure to burn pits and other environmental exposures for the purposes of understanding the etiology of such conditions and developing preventive interventions and new treatments.

“(7) To provide medical treatment to all veterans identified as part of the open burn pit registry established under section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112-260; 38 U.S.C. 527 note).

“(e) USE OF BURN PITS REGISTRY DATA.—In carrying out its responsibilities under subsection (d), the center shall have access to and make use of the data accumulated by the burn pits registry established under section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112-260; 38 U.S.C. 527 note).

“(f) DEFINITIONS.—In this section:

“(1) The term ‘burn pit’ means an area of land located in Afghanistan or Iraq that—

“(A) is designated by the Secretary of Defense to be used for disposing solid waste by burning in the outdoor air; and

“(B) does not contain a commercially manufactured incinerator or other equipment specifically designed and manufactured for the burning of solid waste.

“(2) The term ‘other environmental exposures’ means exposure to environmental hazards, including burn pits, dust or sand, hazardous materials, and waste at any site in Afghanistan or Iraq that emits smoke containing pollutants present in the environment or smoke from fires or explosions.

“(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$30,000,000 for each of the first five fiscal years beginning after the date of the enactment of this section.”

(b) USE OF FUNDS.—In carrying out section 7330B of title 38, United States Code, as added by subsection (a), the Secretary of Veterans Affairs may use amounts appropriated or otherwise made available to the Department of Veterans Affairs for any other purpose.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 73 of such title is amended by inserting after the item relating to section 7330A the following new item:

“7330B. Center of excellence in prevention, diagnosis, mitigation, treatment, and rehabilitation of health conditions relating to exposure to burn pits and other environmental exposures.”

SA 3912. Ms. MURKOWSKI (for Mr. SULLIVAN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the general provisions of title I in division A, add the following:

SEC. _____. Any bridge eligible for assistance under title 23, United States Code, that is structurally deficient and requires construction, reconstruction, or maintenance—

(1) may be reconstructed in the same location with the same capacity and dimensions as in existence on the date of enactment of this Act; and

(2) shall be exempt from any environmental reviews, approvals, licensing, and permit requirements under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) sections 402 and 404 of the Federal Water Pollution Control Act (33 U.S.C. 1342, 1344);

(C) division A of subtitle III of title 54, United States Code;

(D) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(E) the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.);

(F) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(G) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), except when the reconstruction occurs in designated critical habitat for threatened and endangered species;

(H) Executive Order 11990 (42 U.S.C. 4321 note; relating to the protection of wetland); and

(I) any Federal law (including regulations) requiring no net loss of wetland.

SA 3913. Mrs. FEINSTEIN (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, in Division A insert the following:

SEC. _____. Section 218(g) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12748(g)) shall not apply with respect to the right of a jurisdiction to draw funds from its HOME Investment Trust Fund that would otherwise expire in 2016, 2017, 2018, or 2019 under that section.

SA 3914. Mr. TESTER (for himself and Mr. KIRK) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title I of division B, insert the following:

SEC. _____. (a) Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report evaluating the extent to which the Department of Defense has developed a comprehensive force structure plan, including military construction requirements, to meet emerging security threats in Europe.

(b) The report required under subsection (a) shall include an assessment of the extent to which the Department of Defense has—

(1) identified the near-term and long-term United States military force requirements in Europe in support of the European Reassurance Initiative;

(2) evaluated the posture, force structure, and military construction options for meeting projected force requirements;

(3) evaluated the long-term costs associated with the posture, force structure, and military construction requirements; and

(4) developed a Future Years Defense Program for force structure costs associated with the European Reassurance Initiative.

(c) The report shall also include any other matters related to security threats in Europe that the Comptroller General determines are appropriate, and recommendations as warranted for improvements to the Department's planning and analysis methodology.

SA 3915. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

In section 124(a) of division A, insert “, or for any project designated under section 1702 or 1934 of the SAFETEA-LU (Public Law 109-59; 119 Stat. 1256, 1485) and located within that boundary,” before “any earmarked amount”.

SA 3916. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 41, after line 25, add the following:

SEC. 127. (a) Section 127(a)(10) of title 23, United States Code, is amended by striking “January 1, 1987” and inserting “July 1, 2016”.

(b) The amendment made by subsection (a) shall take effect on July 1, 2016.

SA 3917. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

In the matter under the heading “HOME-LESS ASSISTANCE GRANTS” under the heading “COMMUNITY PLANNING AND DEVELOPMENT” in title II of division A, insert before the period at the end the following: “: *Provided further*, That none of the funds provided under this heading shall be available for the continuum of care program unless the Secretary ensures that zero-tolerance recovery housing programs are eligible to receive funds under the continuum of care program”.

SA 3918. Mr. RUBIO submitted an amendment intended to be proposed to

amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

On page 152, strike lines 1 through 13 and insert the following:

(1) The Secretary shall notify the owner and provide an opportunity for response within 15 days of UPCS inspection results. If the violations remain, the Secretary shall develop a Compliance, Disposition and Enforcement Plan within 30 days of the UPCS inspection results and must provide the owner with a Notice of Default with a specified timetable, determined by the Secretary, for correcting all deficiencies. The Secretary must also provide a copy of the Notice of Default to the tenants, the local government, any mortgagees, and any contract administrator. If the owner's appeal results in a UPCS score of 60 or above, the Secretary may withdraw the Notice of Default.

SA 3919. Ms. MIKULSKI (for herself, Mr. SHELBY, Mr. CARDIN, Mr. WARNER, Mr. KAINE, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the appropriate place in title I of division A, insert the following:

SEC. _____. Notwithstanding any other provision of this Act—

(1) the total amount made available under the heading “ADMINISTRATIVE EXPENSES” under the heading “FEDERAL TRANSIT ADMINISTRATION” shall be \$113,165,000; and

(2) the total amount made available under the heading “SALARIES AND EXPENSES” under the heading “OFFICE OF THE SECRETARY” shall be \$113,896,000.

SA 3920. Mr. BROWN (for himself, Mr. TOOMEY, Mr. SANDERS, Mrs. MURRAY, Mr. CASEY, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, add the following:

EXTENSION OF REQUIREMENT FOR REPORT ON CAPACITY OF DEPARTMENT OF VETERANS AFFAIRS TO PROVIDE FOR SPECIALIZED TREATMENT AND REHABILITATIVE NEEDS OF DISABLED VETERANS

SEC. 251. Section 1706(b)(5)(A) of title 38, United States Code, is amended, in the first sentence, by striking “through 2008”.

SA 3921. Mr. FRANKEN (for himself and Mr. TILLIS) submitted an amend-

ment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the appropriate place in division A, insert the following:

SEC. _____. Not later than 24 months after the date of enactment of this Act, the United States Interagency Council on Homelessness shall submit to Congress a report that assesses how Federal housing programs and Federal health programs could better collaborate to reduce costs and improve health and housing outcomes, in particular for—

- (1) chronically homeless individuals;
- (2) homeless individuals with behavioral health conditions; and
- (3) homeless children in families that—
 - (A) receive housing assistance under programs administered by the Federal Government; or
 - (B) could benefit from grant programs administered by the Federal Government.

SA 3922. Mrs. FEINSTEIN (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; as follows:

At the appropriate place in title II of division A, insert the following:

SEC. _____. Section 218(g) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12748(g)) shall not apply with respect to the right of a jurisdiction to draw funds from its HOME Investment Trust Fund that otherwise expire in 2016, 2017, 2018, or 2019 under that section.

SA 3923. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

In division A, on page 50, line 7, insert “up to” before “\$25,000,000”.

In division A, on page 50, line 8, insert “not less than” before “\$25,000,000”.

In division A, on page 50, lines 9 and 10, strike “section 24407 (c)(5), (c)(6), (c)(7), and (c)(10) of title 49” and insert “paragraphs (2), (5), (6), (7) and (10) of section 24407(c) of title 49”.

SA 3924. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes;

which was ordered to lie on the table; as follows:

At the appropriate place in Division B, insert the following:

REPROGRAMMING OF FUNDS

SEC. _____. (a) IN GENERAL.—Notwithstanding any other provision of law, not to exceed \$1,100,000,000 of the unobligated balances of amounts made available to the Department of State, the United States Agency for International Development, and the Department of Health and Human Services for fiscal year 2015, or any fiscal year before fiscal year 2015, that remain available for obligation may be transferred or reprogrammed by the head of the applicable agency for use to prevent, prepare for, or respond to the Zika virus.

(b) NOTIFICATION AND CERTIFICATION REQUIREMENTS.—

(1) IN GENERAL.—Not later than 15 days prior to the transfer or reprogramming of funds made available pursuant to subsection (a) or section 7058(c) of the Consolidated Appropriations Act, 2016 (Public Law 114-113)—

(A) the Director of the Office of Management and Budget shall certify to the appropriate Congressional committees that the net effect of all transfers and reprogramming made pursuant to subsection (a) shall not result in an increase in outlays over the period of fiscal years 2016 through 2021; and

(B) the Secretary of Health and Human Services, in coordination with the Secretary of State and the Administrator of the United States Agency for International Development, shall submit to the appropriate Congressional committees a multi-year spending plan that specifies the proposed uses of such funds.

(2) SPENDING PLAN.—The spending plan submitted under paragraph (1)(B) shall include—

(A) the objectives, indicators to measure progress, and a timeline to implement a successful strategy to respond to the Zika virus;

(B) the amounts intended to be transferred or reprogrammed pursuant to this Act, that are made available from prior Acts making appropriations for—

(i) the Department of State, foreign operations, and related programs to support such strategy; and

(ii) the Department of Labor, Health and Human Services, Education, and related agencies;

(C) a description of how any foreign assistance planned to be transferred or reprogrammed pursuant to subsection (a) will differ from, complement, and leverage funds allocated by—

(i) each government for countries in which the United States will use funds authorized by this Act; and

(ii) other governmental, nongovernmental, and intergovernmental donors; and

(D) a description of—

(i) the resources each government described in subparagraph (C)(i) possess to prevent, prepare for, and respond to the Zika virus; and

(ii) the political will of each government described in subparagraph (C)(i) to use the resources described in clause (i).

(c) FOLLOW UP REPORT.—Not later than November 30, 2017, the Secretary of Health and Human Services, in coordination with the Secretary of State and the Administrator of the United States Agency for International Development, shall submit to the appropriate Congressional committees, a report that contains a full accounting, on a program level, of funds transferred or reprogrammed pursuant to subsection (a). Such report shall, to the greatest extent practicable, contain a comparison of the full accounting contained in the report to the original spending plan described in subsection (b)(2).

(d) **LIMITATION ON AUTHORITY.**—The authority provided in the section to reprogram and obligate funds shall terminate on September 30, 2017.

(e) **PROHIBITION.**—No transfers or reprogramming of funds under this section shall be made from the funds designated by Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(ii)).

(f) **DEFINITION.**—In this section, the term “appropriate Congressional committees” means the Committee on Appropriations and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Appropriations and the Committee on Oversight and Government Reform of the House of Representatives.

SA 3925. Mr. GRASSLEY (for himself, Mrs. ERNST, Mr. INHOFE, Mr. MORAN, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title II of division B, insert the following:

SEC. 251. None of the amounts appropriated or otherwise made available under this Act may be used, in any case arising out of the administration by the Secretary of Veterans Affairs of any law administered by the Secretary, to treat an individual as adjudicated as a mental defective for purposes of subsection (d)(4) or (g)(4) of section 922 of title 18, United States Code, without the order or finding of a judge, magistrate, or other judicial authority of competent jurisdiction that such person is a danger to himself or herself or others.

SA 3926. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. _____. (a) Not later than 90 days after the date of enactment of this Act, the Secretary of Housing and Urban Development shall prepare a report, and post the report on the public website of the Department of Housing and Urban Development (in this section referred to as the “Department”), regarding Real Estate Assessment Center (in this section referred to as “REAC”) inspections of all properties assisted, insured, or both, under a program of the Department, which shall include—

(1) the percentage of all inspected properties that received a REAC-inspected score of less than 65 within the last 48 months;

(2) the number of properties in which the most recent REAC-inspected score represented a decline relative to the previous REAC score;

(3) a list of the 10 metropolitan statistical areas with the lowest average REAC-inspected scores for all inspected properties; and

(4) a list of the 10 States with the lowest average REAC-inspected scores for all inspected properties.

(b) The Comptroller General of the United States shall prepare a report, and post the report on the public website of the Government Accountability Office, regarding areas in which REAC inspections of all properties assisted, insured, or both, under a program of the Department should be reformed and improved.

SA 3927. Mr. COONS (for himself, Mr. BOOKER, Mr. CASEY, and Mr. CARPER) submitted an amendment intended to be proposed to amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

In division A, beginning on page 51, strike line 14 and all that follows through page 53, line 3, and insert the following:

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation for activities associated with the Northeast Corridor, as authorized by section 11101(a) of the Fixing America's Surface Transportation Act (division A of Public Law 114-94), and for activities associated with the National Network, as authorized by section 11101(b) of such Act, \$1,834,000,000, to remain available until expended: *Provided*, That the Secretary may retain up to 0.5 percent of the funds provided under this heading to fund the costs of project management and oversight of activities authorized by section 11101(c) of such Act: *Provided further*, That in addition to the project management oversight funds authorized under such section 11101(c), the Secretary may retain up to an additional \$5,000,000 of the funds provided under this heading to fund expenses associated with the Northeast Corridor Commission established under section 24905 of title 49, United States Code: *Provided further*, That the Secretary may retain up to an additional \$2,000,000 of the funds provided under this heading to fund expenses associated with the State-Supported Route Committee established under 24712 of title 49, United States Code: *Provided further*, That of the amounts made available under this heading, not less than \$50,000,000 shall be made available to bring Amtrak-served facilities and stations into compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

SA 3928. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

ADDITIONAL RESCISSIONS OF UNOBLIGATED EBOLA FUNDS

SEC. _____. (a) Of the unobligated balances made available under the heading “Public Health and Social Services Emergency Fund (Including Transfer of Funds)” in title VI of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2015 (division G of Public Law 113-235) for the purpose of other preparation and response, \$250,000,000 shall be rescinded: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) Of the unobligated balances made available under the heading “CDC-Wide Activities and Program Support (Including Transfer of Funds)” in title VI of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2015 (division G of Public Law 113-235) for supporting national public health institutes and global health security, \$384,000,000 shall be rescinded: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(c) Of the unobligated balances made available under the heading “Economic Support Fund” in title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113-235), \$466,000,000 shall be rescinded: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SA 3929. Mr. LEE submitted an amendment intended to be proposed to amendment SA 3900 proposed by Mr. MCCONNELL (for Mr. BLUNT (for himself, Mr. GRAHAM, Mr. COCHRAN, Mrs. MURRAY, and Mr. LEAHY)) to the amendment SA 3896 proposed by Ms. COLLINS (for herself, Mr. KIRK, Mr. REED, and Mr. TESTER) to the bill H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. _____. Amounts provided for in this title shall, prior to appropriating any sums out of any money in the Treasury not otherwise appropriated, be transferred from the following:

(1) \$250,000,000 from the unobligated balances made available under the heading “Public Health and Social Services Emergency Fund (Including Transfer of Funds)” in title VI of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2015 (division G of Public Law 113-235) for the purpose of other preparation and response.

(2) \$384,000,000 from the unobligated balances made available under the heading “CDC-Wide Activities and Program Support (Including Transfer of Funds)” in title VI of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2015 (division G of Public Law 113-235) for supporting national public health institutes and global health security.

(3) \$466,000,000 from the unobligated balances made available under the heading

“Economic Support Fund” in title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113-235).

ARIEL RIOS FEDERAL BUILDING

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4957, which was received from the House.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 4957) to designate the Federal building located at 99 New York Avenue, N.E., in the District of Columbia as the “Ariel Rios Federal Building.”

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

Ms. COLLINS. Mr. President, I ask unanimous consent that the bill be 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 (H.R. 4957) was ordered to a third reading, was read the third time, and passed.

CONGRATULATING THE HISTORIC COLUMBIA RIVER HIGHWAY ON ITS 100TH YEAR

Ms. COLLINS. Mr. President, I ask unanimous consent that the Environment and Public Works Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 387.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 387) congratulating the Historic Columbia River Highway on its 100th year.

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

Ms. COLLINS. Mr. President, I 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.

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

The resolution (S. Res. 387) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of March 3, 2016, under “Submitted Resolutions.”)

NATIONAL INDUSTRIAL ASSESSMENT CENTER WEEK

Ms. COLLINS. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 403.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 403) designating the week beginning April 24, 2016 as “National Industrial Assessment Center Week” in celebration of the 40th anniversary of Industrial Assessment Centers.

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

Ms. COLLINS. Mr. President, I 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.

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

The resolution (S. Res. 403) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of March 17, 2016, under “Submitted Resolutions.”)

SUPPORTING THE GOALS AND IDEALS OF NATIONAL NURSES WEEK

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 467, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 467) supporting the goals and ideals of National Nurses Week, to be observed from May 6 through May 12, 2016.

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

Ms. COLLINS. Mr. President, I 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. 467) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

ORDERS FOR TUESDAY, MAY 17, 2016

Ms. COLLINS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, May 17; 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; further, that following leader remarks, the Senate resume consideration of H.R. 2577, with the time until 12:30 p.m. and from 2:15 p.m. until 2:30 p.m. equally divided between the managers or their designees; further, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings; finally, that notwithstanding the provisions of rule XXII, the Senate vote on the motions to invoke cloture at 2:30 p.m. tomorrow.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Ms. COLLINS. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:14 p.m., adjourned until Tuesday, May 17, 2016, at 10 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate May 16, 2016:

THE JUDICIARY

PAULA XINIS, OF MARYLAND, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MARYLAND.