

Whereas, From time to time the President and the Congress of the United States have proposed legislation to tax or alter the federal exemption of interest earned on municipal bonds;

Now therefore be it *Resolved*, That we, the members of the 131st General Assembly of the State of Ohio, oppose any effort to eliminate or limit the federal tax exemption on interest earned on municipal bonds, and urge the President, and any future administration, and the Congress of the United States, to retain the current tax-exempt status of municipal bonds;

and be it further *Resolved*, That the Clerk of the House of Representatives transmit duly authenticated copies of this resolution to the President of the United States, the Speaker and Clerk of the United States House of Representatives, the President Pro Tempore and Secretary of the United States Senate, each member of the Ohio Congressional delegation, and the news media of Ohio.

## 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 Mrs. CAPITO (for herself and Ms. STABENOW):

S. 3137. A bill to require the Center for Medicare and Medicaid Innovation to test the efficacy of providing Alzheimer's Disease caregiver support services in delaying or reducing the use of institutionalized care for Medicare beneficiaries with Alzheimer's Disease or a related dementia; to the Committee on Finance.

By Mr. RUBIO (for himself, Mr. COTTON, Mr. CORNYN, and Mr. CRUZ):

S. 3138. A bill to prevent Iran from directly or indirectly receiving assistance from the Export-Import Bank of the United States; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BROWN (for himself and Mrs. FEINSTEIN):

S. 3139. A bill to amend the Internal Revenue Code of 1986 to allow the energy credit for certain high-efficiency linear generator property; to the Committee on Finance.

By Mr. ENZI (for himself, Mr. BARRASSO, Mr. VITTER, Mr. ISAKSON, and Mr. RUBIO):

S. 3140. A bill to prevent a fiscal crisis by enacting legislation to balance the Federal budget through reductions of discretionary and mandatory spending; to the Committee on the Budget.

By Mr. ROUNDS:

S. 3141. A bill to direct the Secretary of Veterans Affairs to establish a grant program to improve the monitoring of mental health and substance abuse treatment programs of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

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

S. 3142. A bill to require reporting on acts of certain foreign countries on Holocaust era assets and related issues; to the Committee on Foreign Relations.

By Mr. MERKLEY:

S. 3143. A bill to amend the Consumer Credit Protection Act to strengthen debt collection exemptions to protect debtors and their families from poverty or bankruptcy, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BOOKER:

S. 3144. A bill to enforce the Sixth Amendment right to the assistance of effective

counsel at all stages of the adversarial process, to confer jurisdiction upon the district courts of the United States to provide declaratory and injunctive relief against systemic violations of such right, and for other purposes; to the Committee on the Judiciary.

By Mr. BOOKER:

S. 3145. A bill to amend title 18, United States Code, to establish a corporation to advocate on behalf of individuals in noncapital criminal cases before the Supreme Court of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. MENENDEZ (for himself, Mr. BOOKER, and Mr. MERKLEY):

S. 3146. A bill to require servicers to provide certain notices relating to foreclosure proceedings, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. HIRONO (for herself, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Mrs. BOXER, Mr. MARKEY, Mrs. SHAHEEN, Ms. CANTWELL, Ms. MIKULSKI, and Ms. BALDWIN):

S. 3147. A bill to support educational entities in fully implementing title IX and reducing and preventing sex discrimination in all areas of education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY (for himself, Ms. WARREN, Mr. HATCH, and Mr. MCCAIN):

S. 3148. A bill to establish the John F. Kennedy Centennial Commission; to the Committee on the Judiciary.

By Mr. BROWN (for himself and Mr. BOOKER):

S. 3149. A bill to posthumously award a Congressional Gold Medal to Lawrence Eugene "Larry" Doby in recognition of his achievements and contributions to American major league athletics, civil rights, and the Armed Forces during World War II; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MARKEY:

S. 3150. A bill to use certain revenues from the outer Continental Shelf to reduce the Federal budget deficit; to the Committee on Energy and Natural Resources.

By Mr. TOOMEY:

S. 3151. A bill to enhance investment in education and employment programs by eliminating duplication, cutting red tape, and increasing flexibility, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. RUBIO (for himself, Mr. JOHNSON, and Mr. MCCONNELL):

S. Res. 520. A resolution reaffirming the strong relationship, both in defense and trade, between the United States and the United Kingdom; to the Committee on Foreign Relations.

By Ms. AYOTTE (for herself, Ms. STABENOW, Mr. BROWN, Mr. BURR, Mr. COONS, Mrs. FEINSTEIN, Mr. MENENDEZ, Mr. PETERS, and Mr. RUBIO):

S. Res. 521. A resolution expressing support for the designation of September 2016 as National Ovarian Cancer Awareness Month; to the Committee on the Judiciary.

By Mr. GRASSLEY (for himself, Mr. WYDEN, Mr. KIRK, Mrs. MCCASKILL, Mr. JOHNSON, Mr. CARPER, Mrs. FISCHER, Ms. BALDWIN, Mr. TILLIS, Mr. MARKEY, Mrs. BOXER, Mrs.

ERNST, Mr. PETERS, and Mr. BOOZMAN):

S. Res. 522. A resolution designating July 30, 2016, as "National Whistleblower Appreciation Day"; considered and agreed to.

By Mr. MCCONNELL (for himself, Mr. REID, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. ERNST, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mr. GARDNER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PERDUE, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. UDALL, Mr. VITTER, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 523. A resolution relating to the death of Elie Wiesel, Holocaust survivor, powerful advocate for peace and human rights, and award-winning author; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 386

At the request of Mr. THUNE, the names of the Senator from North Carolina (Mr. TILLIS), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 386, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 498

At the request of Ms. MURKOWSKI, her name was added as a cosponsor of S. 498, a bill to allow reciprocity for the carrying of certain concealed firearms.

S. 681

At the request of Mrs. GILLIBRAND, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 681, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 774

At the request of Mr. MORAN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S.

774, a bill to amend the Federal Financial Institutions Examination Council Act of 1978 to improve the examination of depository institutions, and for other purposes.

S. 827

At the request of Ms. KLOBUCHAR, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 827, a bill to amend the Communications Act of 1934 to ensure the integrity of voice communications and to prevent unjust or unreasonable discrimination among areas of the United States in the delivery of such communications.

S. 1056

At the request of Mr. CARDIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1056, a bill to eliminate racial profiling by law enforcement, and for other purposes.

S. 2006

At the request of Mr. PORTMAN, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 2006, a bill to reform the process by which Federal agencies analyze and formulate new regulations and guidance documents.

S. 2066

At the request of Mr. SASSE, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 2066, a bill to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion.

S. 2067

At the request of Mr. WICKER, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2067, a bill to establish EUREKA Prize Competitions to accelerate discovery and development of disease-modifying, preventive, or curative treatments for Alzheimer's disease and related dementia, to encourage efforts to enhance detection and diagnosis of such diseases, or to enhance the quality and efficiency of care of individuals with such diseases.

S. 2595

At the request of Mr. CRAPO, the names of the Senator from South Dakota (Mr. THUNE) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 2595, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 2598

At the request of Ms. WARREN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor 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. 2612

At the request of Mr. LEAHY, the name of the Senator from New Hamp-

shire (Ms. AYOTTE) was added as a cosponsor of S. 2612, a bill to ensure United States jurisdiction over offenses committed by United States personnel stationed in Canada in furtherance of border security initiatives.

S. 2823

At the request of Mrs. CAPITO, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2823, a bill to amend the Internal Revenue Code of 1986 to extend and modify the section 45 credit for refined coal from steel industry fuel, and for other purposes.

S. 2830

At the request of Mr. SCHUMER, the names of the Senator from Connecticut (Mr. MURPHY) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 2830, a bill to amend the Safe Drinking Water Act to provide for a school and child care lead testing grant program.

S. 2912

At the request of Mr. JOHNSON, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 2912, a bill to authorize the use of unapproved medical products by patients diagnosed with a terminal illness in accordance with State law, and for other purposes.

S. 2927

At the request of Mr. LANKFORD, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 2927, a bill to prevent governmental discrimination against providers of health services who decline involvement in abortion, and for other purposes.

S. 2932

At the request of Mr. CASSIDY, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 2932, a bill to amend the Controlled Substances Act with respect to the provision of emergency medical services.

S. 2989

At the request of Ms. MURKOWSKI, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from South Dakota (Mr. ROUNDS) were added as cosponsors of S. 2989, a bill to award a Congressional Gold Medal, collectively, to the United States merchant mariners of World War II, in recognition of their dedicated and vital service during World War II.

S. 2996

At the request of Mr. SCHATZ, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2996, a bill to amend the Internal Revenue Code of 1986 to phase out tax preferences for fossil fuels on the same schedule as the phase out of the tax credits for wind facilities.

S. 3039

At the request of Mr. KING, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 3039, a bill to support programs for mosquito-borne and other vector-borne disease surveillance and control.

S. 3060

At the request of Mr. GRASSLEY, the name of the Senator from Idaho (Mr. RISCHE) was added as a cosponsor of S. 3060, a bill to provide an exception from certain group health plan requirements for qualified small employer health reimbursement arrangements.

S. 3070

At the request of Mr. FRANKEN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 3070, a bill to amend the Public Health Service Act to address the increased burden that maintaining the health and hygiene of infants and toddlers places on families in need, the resultant adverse health effects on children and families, and the limited child care options available for infants and toddlers who lack sufficient diapers.

S. 3083

At the request of Mr. MENENDEZ, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 3083, a bill to provide housing opportunities in the United States through modernization of various housing programs, and for other purposes.

S. 3111

At the request of Mr. PORTMAN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 3111, a bill to amend the Internal Revenue Code of 1986 to extend the 7.5 percent threshold for the medical expense deduction for individuals age 65 or older.

S. 3129

At the request of Mr. THUNE, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 3129, a bill to provide for the extension of the enforcement instruction on supervision requirements for outpatient therapeutic services in critical access and small rural hospitals through 2016.

S. 3132

At the request of Mrs. FISCHER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 3132, a bill to direct the Secretary of Veterans Affairs to carry out a pilot program to provide service dogs to certain veterans with severe post-traumatic stress disorder.

S. 3135

At the request of Mr. GARDNER, the names of the Senator from North Carolina (Mr. TILLIS), the Senator from South Dakota (Mr. THUNE), the Senator from Louisiana (Mr. VITTER) and the Senator from South Dakota (Mr. ROUNDS) were added as cosponsors of S. 3135, a bill to prohibit any officer or employee of the Federal Government who has exercised extreme carelessness in the handling of classified information from being granted or retaining a security clearance.

S.J. RES. 35

At the request of Mr. FLAKE, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S.J. Res. 35, a joint resolution providing for congressional disapproval

under chapter 8 of title 5, United States Code, of the final rule of the Department of Labor relating to "Interpretation of the 'Advice' Exemption in Section 203(c) of the Labor-Management Reporting and Disclosure Act".

S. CON. RES. 36

At the request of Mr. NELSON, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a co-sponsor 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.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BOOKER:

S. 3144. A bill to enforce the Sixth Amendment right to the assistance of effective counsel at all stages of the adversarial process, to confer jurisdiction upon the district courts of the United States to provide declaratory and injunctive relief against systemic violations of such right, and for other purposes; to the Committee on the Judiciary.

Mr. BOOKER. Mr. President, I rise to introduce the Clarence Gideon Full Access to Justice Act, Gideon Act, and the Equal Justice Under Law Act of 2016, two bills aimed at addressing the access to justice crisis. Today, America's broken justice system is riddled with deficiencies in our indigent defense system and gaps in legal services to the poor. To repair those shortcomings, these bills would improve the justice delivery system that serves people who are unable to afford counsel.

Gaps in legal services to the poor exist at all levels of our justice system. To fill in those gaps in the highest court of our land and better balance the scales of justice between the government and the defendants, the Gideon Act would establish an independent federal public defender office charged with representing poor defendants before the United States Supreme Court. To address the indigent defense crisis in the states, the Equal Justice Under Law Act would create a private right of action that allows a class of indigent defendants to sue in federal court when systemic violations of their Sixth Amendment rights to counsel occur.

In 1963, the Nation's highest court ruled that Americans have a Sixth Amendment right to an attorney in a criminal case, even if they cannot afford one. In *Gideon v. Wainwright*, the Supreme Court declared it an "obvious truth" that "any person haled into court, who is too poor to hire a lawyer,

cannot be assured a fair trial unless counsel is provided to him." By clarifying that counsel must not only be present, but be "effective," *Gideon* marked a landmark shift towards creating a justice system that safeguards equal justice under law for all.

Nearly 5 decades after *Gideon*, its promise of equal justice remains unfulfilled. Today, the federal government has no entity dedicated to furnishing legal counsel for criminal defendants in Supreme Court cases. Rather, lawyers in private practice who volunteer their services or public defenders who often have never argued before the High Court are often tasked with delivering competent legal representation to the poor in Supreme Court criminal cases.

The prosecution, however, has highly specialized lawyers from the U.S. Department of Justice who represent its interests. With a small cadre of lawyers from the Solicitor General's Office dedicated solely to Supreme Court litigation, the government amasses considerable appellate experience before the Court. As the most frequent advocate before the Court, the Solicitor General routinely files writs of certiorari and argues criminal cases each term. With this experience, the government has the opportunity, foreclosed to defendants with private attorneys, to establish familiarity and, ultimately, credibility with the Court.

The structural imbalance between prosecutors and defendants at the Supreme Court has a profound impact on our justice system. Without counsel trained and experienced in Supreme Court advocacy, the likelihood that cases are decided against criminal defendants increases. In addition, the development of criminal precedent can far too often tilt in favor of the government and against the civil rights of ordinary Americans seeking justice in criminal cases.

To address these structural deficiencies, I am introducing the Gideon Act. This bill would establish a Federal corporation called the Defender Office for Supreme Court Advocacy, which would be dedicated to Supreme Court advocacy on behalf of criminal defendants. The bill aims to breathe life into the Sixth Amendment's guarantee of effective assistance of counsel and to help level the playing field at the Supreme Court between prosecutors and defendants.

The Gideon Act would empower the office with critical tools to zealously represent indigent defendants at the front end, middle, and back end of the Supreme Court advocacy process.

At the front end, known as the writ of certiorari stage, the office would have authority to monitor noncapital Federal and State cases seeking Supreme Court review for Federal law issues. By allowing the office to file cert petitions in criminal cases, the office could have critical input into which criminal cases the Supreme Court accepts to hear and decide. By

empowering the office to consult with lawyers representing criminal defendants seeking the High Court's review, the office can serve as a resource to lawyers inexperienced in Supreme Court advocacy.

During the middle of the process, known as the merits stage, the office would be empowered to zealously represent the poor. From filing merits and "friend of the court" briefs to responding to the Court's "call for views" on complex criminal law issues to participating at oral argument in criminal cases, the office could provide all forms of advocacy on behalf of the poor. As such, the office would provide a necessary counter-weight for defendants to prosecutors' specialized Supreme Court expertise within Solicitor General's Office. It would also provide a centralized resource for defenders to develop uniformity on federal criminal case law.

On the back end, after a Supreme Court case is completed, the office could help train other defenders throughout the nation on the unique experience of practicing before the Supreme Court. In addition, the office would have the power to participate in appellate advocacy before the highest State courts in our land, if resources permit. This tool is necessary to help develop criminal case law nationwide since most criminal cases that the Supreme Court hears a term come Federal criminal law issues arising from State courts, rather than from Federal courts.

Today, I am also introducing the Senate companion to H.R. 5124, the Equal Justice Under Law Act. This bill aims to address America's public defense crisis, and I thank Rep. PATRICK MALONEY for his leadership on this bill in the House of Representatives.

Today, many State and local governments have failed to provide the funding necessary for public defenders to keep pace with the flood of criminal cases. Without resources, many public defenders lack the staff, training, or time to investigate each case adequately and prepare a robust legal defense. As a result of being underpaid and overworked, they are simply unable to provide the accused with their right to effective assistance of counsel.

Ample evidence exists that shows the state of public defense in America is in crisis. According to the American Bar Association, anywhere from 60 to 90 percent of criminal defendants need publically funded attorneys. Yet, due to a lack of resources, far too many public defenders are unable to meet this demand. In fact, a 2013 report from the Brennan Center for Justice concluded that public defense offices are so overworked and underfunded that clients are not getting the legal representation they need. Citing a funding disparity between the prosecution and public defenders, the report found that State prosecutors' office budgets were \$5.8 billion in 2007, while State and local public defender expenditures were only \$2.3 billion.