

## SUBMITTED RESOLUTIONS

## SENATE RESOLUTION 614—SUPPORTING THE GOALS AND IDEALS OF AMERICAN EDUCATION WEEK

Mrs. CAPITO (for herself and Ms. BALDWIN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 614

Whereas November 14 through November 18, 2016, marks the 95th annual observance of American Education Week;

Whereas public schools are the backbone of the democracy of the United States, providing young people with the tools they need to maintain the precious values of freedom, civility, and equality;

Whereas, by equipping young people in the United States with both practical skills and broader intellectual abilities, public schools give young people hope for, and access to, a productive future;

Whereas people working in the field of public education, including teachers, higher education faculty and staff, paraeducators, custodians, substitute educators, bus drivers, clerical workers, food service professionals, workers in skilled trades, health and student service workers, security guards, technical employees, and librarians, work tirelessly to serve children and communities throughout the United States with care and professionalism; and

Whereas public schools are community linchpins, bringing together adults, children, educators, volunteers, business leaders, and elected officials in a common enterprise: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the goals and ideals of American Education Week; and

(2) encourages the people of the United States to observe American Education Week by reflecting on the positive impact of all those who work together to educate children.

## SENATE RESOLUTION 615—EX-PRESSING SUPPORT FOR THE DESIGNATION OF NOVEMBER 16, 2016, AS “AMERICAN SPECIAL HOCKEY DAY”

Mr. CASEY (for himself, Ms. KLOBUCHAR, Mr. WYDEN, and Mr. FRANKEN) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 615

Whereas, according to the Centers for Disease Control and Prevention, nearly 15 percent of children in the United States have a developmental disability;

Whereas the United States needs innovative, high-quality programs that seek to create productive and independent futures for children and adults with developmental disabilities;

Whereas the American Special Hockey Association was created in 2000 to give individuals of all ages with developmental disabilities an opportunity to learn and grow by playing ice hockey;

Whereas team sports provide opportunities for children to develop independence, confidence, and fitness and the programs of the American Special Hockey Association provide the chance for individuals with disabili-

ties to play sports in an accessible environment so that all athletes are able to participate;

Whereas the American Special Hockey Association is the largest special hockey organization in the world with more than 54 member programs in more than 45 cities in the United States;

Whereas special hockey exists to enrich athletes with developmental disabilities and, in addition to physical hockey skills, the program helps children develop critical skills such as dependability, self-reliance, concentration, willingness to share, and personal accountability; and

Whereas “American Special Hockey Day” will help recognize the important role that special hockey plays in empowering individuals with disabilities and developing the characteristics that will help players to be more successful both on and off the ice: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the designation of November 16, 2016, as “American Special Hockey Day”;

(2) strongly affirms the goals and purpose of special hockey; and

(3) encourages more individuals to volunteer and help create similarly innovative and beneficial programs for individuals with disabilities.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 5108. Mr. MCCONNELL (for Ms. HEITKAMP) proposed an amendment to the bill S. 1808, to require the Secretary of Homeland Security to conduct a Northern Border threat analysis, and for other purposes.

SA 5109. Mr. MCCONNELL (for Ms. AYOTTE) proposed an amendment to the bill S. 1915, to direct the Secretary of Homeland Security to make anthrax vaccines available to emergency response providers, and for other purposes.

## TEXT OF AMENDMENTS

SA 5108. Mr. MCCONNELL (for Ms. HEITKAMP) proposed an amendment to the bill S. 1808, to require the Secretary of Homeland Security to conduct a Northern Border threat analysis, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Northern Border Security Review Act”.

**SEC. 2. DEFINITIONS.**

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Appropriations of the Senate;

(C) the Committee on the Judiciary of the Senate;

(D) the Committee on Homeland Security of the House of Representatives;

(E) the Committee on Appropriations of the House of Representatives; and

(F) the Committee on the Judiciary of the House of Representatives.

(2) NORTHERN BORDER.—The term “Northern Border” means the land and maritime borders between the United States and Canada.

**SEC. 3. NORTHERN BORDER THREAT ANALYSIS.**

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the

Secretary of Homeland Security shall submit a Northern Border threat analysis to the appropriate congressional committees that includes—

(1) current and potential terrorism and criminal threats posed by individuals and organized groups seeking—

(A) to enter the United States through the Northern Border; or

(B) to exploit border vulnerabilities on the Northern Border;

(2) improvements needed at and between ports of entry along the Northern Border—

(A) to prevent terrorists and instruments of terrorism from entering the United States; and

(B) to reduce criminal activity, as measured by the total flow of illegal goods, illicit drugs, and smuggled and trafficked persons moved in either direction across to the Northern Border;

(3) gaps in law, policy, cooperation between State, tribal, and local law enforcement, international agreements, or tribal agreements that hinder effective and efficient border security, counter-terrorism, anti-human smuggling and trafficking efforts, and the flow of legitimate trade along the Northern Border; and

(4) whether additional U.S. Customs and Border Protection preclearance and preinspection operations at ports of entry along the Northern Border could help prevent terrorists and instruments of terror from entering the United States.

(b) ANALYSIS REQUIREMENTS.—For the threat analysis required under subsection (a), the Secretary of Homeland Security shall consider and examine—

(1) technology needs and challenges;

(2) personnel needs and challenges;

(3) the role of State, tribal, and local law enforcement in general border security activities;

(4) the need for cooperation among Federal, State, tribal, local, and Canadian law enforcement entities relating to border security;

(5) the terrain, population density, and climate along the Northern Border; and

(6) the needs and challenges of Department facilities, including the physical approaches to such facilities.

(c) CLASSIFIED THREAT ANALYSIS.—To the extent possible, the Secretary of Homeland Security shall submit the threat analysis required under subsection (a) in unclassified form. The Secretary may submit a portion of the threat analysis in classified form if the Secretary determines that such form is appropriate for that portion.

SA 5109. Mr. MCCONNELL (for Ms. AYOTTE) proposed an amendment to the bill S. 1915, to direct the Secretary of Homeland Security to make anthrax vaccines available to emergency response providers, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “First Responder Anthrax Preparedness Act”.

**SEC. 2. VOLUNTARY PRE-EVENT ANTHRAX VACCINATION PILOT PROGRAM FOR EMERGENCY RESPONSE PROVIDERS.**

(a) PILOT PROGRAM.—

(1) ESTABLISHMENT.—The Secretary of Homeland Security, in coordination with the Secretary of Health and Human Services, shall carry out a pilot program to provide eligible anthrax vaccines from the Strategic National Stockpile under section 319F-2(a) of the Public Health Service Act (42 U.S.C. 247d-6b(a)) that will be nearing the end of

their labeled dates of use at the time such vaccines are made available to States for administration to emergency response providers who would be at high risk of exposure to anthrax if such an attack should occur and who voluntarily consent to such administration.

(2) DETERMINATION.—The Secretary of Health and Human Services shall determine whether an anthrax vaccine is eligible to be provided to the Secretary of Homeland Security for the pilot program described in paragraph (1) based on—

(A) a determination that the vaccine is not otherwise allotted for other purposes;

(B) a determination that the provision of the vaccine will not reduce, or otherwise adversely affect, the capability to meet projected requirements for this product during a public health emergency, including a significant reduction of available quantities of vaccine in the Strategic National Stockpile; and

(C) such other considerations as determined appropriate by the Secretary of Health and Human Services.

(3) PRELIMINARY REQUIREMENTS.—Before implementing the pilot program required under this subsection, the Secretary of Homeland Security, in coordination with the Secretary of Health and Human Services, shall—

(A) establish a communication platform for the pilot program;

(B) develop and deliver education and training for the pilot program;

(C) conduct economic analysis of the pilot program, including a preliminary estimate of total costs and expected benefits;

(D) create a logistical platform for the anthrax vaccine request process under the pilot program;

(E) establish goals and desired outcomes for the pilot program; and

(F) establish a mechanism to reimburse the Secretary of Health and Human Services for—

(i) the costs of shipment and transportation of such vaccines provided to the Secretary of Homeland Security from the Strategic National Stockpile under such pilot program, including staff time directly supporting such shipment and transportation; and

(ii) the amount, if any, by which the warehousing costs of the Strategic National Stockpile are increased in order to operate such pilot program.

(4) LOCATION.—

(A) IN GENERAL.—In carrying out the pilot program required under this subsection, the Secretary of Homeland Security shall select not fewer than 2 nor more than 5 States for voluntary participation in the pilot program.

(B) REQUIREMENT.—Each State that participates in the pilot program under this subsection shall ensure that such participation is consistent with the All-Hazards Public Health Emergency Preparedness and Response Plan of the State developed under section 319C-1 of the Public Health Service Act (42 U.S.C. 247d-3a).

(5) GUIDANCE FOR SELECTION.—To ensure that participation in the pilot program under this subsection strategically increases State and local response readiness in the event of an anthrax release, the Secretary of Homeland Security, in coordination with the Secretary of Health and Human Services, shall provide guidance to participating States and units of local government on identifying emergency response providers who are at high risk of exposure to anthrax.

(6) DISTRIBUTION OF INFORMATION.—The Secretary of Homeland Security shall require that each State that participates in the pilot program under this subsection submit a written certification to the Secretary of Homeland Security stating that each

emergency response provider within the State that participates in the pilot program is provided with disclosures and educational materials designated by the Secretary of Health and Human Services, which may include—

(A) materials regarding the associated benefits and risks of any vaccine provided under the pilot program, and of exposure to anthrax;

(B) additional material consistent with the Centers for Disease Control and Prevention's clinical guidance; and

(C) notice that the Federal Government is not obligated to continue providing anthrax vaccine after the date on which the pilot program ends.

(7) MEMORANDUM OF UNDERSTANDING.—Before implementing the pilot program under this subsection, the Secretary of Homeland Security shall enter into a memorandum of understanding with the Secretary of Health and Human Services to—

(A) define the roles and responsibilities of each Department for the pilot program; and

(B) establish other performance metrics and policies for the pilot program, as appropriate.

(8) REPORT.—

(A) IN GENERAL.—Notwithstanding subsection (c), not later than 1 year after the date on which the initial vaccines are administered under this section, and annually thereafter until 1 year after the completion of the pilot program under this section, the Secretary of Homeland Security, in coordination with the Secretary of Health and Human Services, shall submit to the Committee on Homeland Security and the Committee on Energy and Commerce of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Health, Education, Labor, and Pensions of the Senate a report on the progress and results of the pilot program, including—

(i) a detailed tabulation of the costs to administer the program, including—

(I) total costs for management and administration;

(II) total costs to ship vaccines;

(III) total number of full-time equivalents allocated to the program; and

(IV) total costs to the Strategic National Stockpile;

(ii) the number and percentage of eligible emergency response providers, as determined by each pilot location, that volunteer to participate;

(iii) the degree to which participants complete the vaccine regimen;

(iv) the total number of doses of vaccine administered; and

(v) recommendations to improve initial and recurrent participation in the pilot program.

(B) FINAL REPORT.—The final report required under subparagraph (A) shall—

(i) consider whether the pilot program required under this subsection should continue after the date described in subsection (c); and

(ii) include—

(I) an analysis of the costs and benefits of continuing the program to provide anthrax vaccines to emergency response providers;

(II) an explanation of the economic, health, and other risks and benefits of administering vaccines through the pilot program rather than post-event treatment; and

(III) in the case of a recommendation under clause (i) to continue the pilot program after the date described in subsection (c), a plan under which the pilot program could be continued.

(b) DEADLINE FOR IMPLEMENTATION.—Not later than 1 year after the date of enactment of this Act, the Secretary of Homeland Security

shall begin implementing the pilot program under this section.

(c) SUNSET.—The authority to carry out the pilot program under this section shall expire on the date that is 5 years after the date of enactment of this Act.

## AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on November 16, 2016, at 3 p.m., in room SR-253 of the Russell Senate Office Building to conduct a hearing entitled “Exploring Augmented Reality.”

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

## NORTHERN BORDER SECURITY REVIEW ACT

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 269, S. 1808.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1808) to require the Secretary of Homeland Security to conduct a Northern Border threat analysis, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

### SECTION 1. SHORT TITLE.

*This Act may be cited as the “Northern Border Security Review Act”.*

### SEC. 2. DEFINITIONS.

*In this Act:*

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

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(A) to enter the United States through the Northern Border; or

(B) to exploit border vulnerabilities on the Northern Border;

(2) improvements needed at ports of entry along the Northern Border—

(A) to prevent terrorists and instruments of terror from entering the United States; and

(B) to reduce criminal activity, as measured by the total flow of illegal goods and illicit drugs, related to the Northern Border;