is a beautiful bill with a bad rider dropped on us. That was what I was talking about, the bill that was placed on top of WRDA. It is awful. The White House said: We do not support the kinds of proposals that have been put forward to address the water resource issues in California right now.

For every major newspaper in my State to come out—I don't think we ever argue about this because it is a California issue, it is a west coast issue. If it doesn't bother you, fine, but the bottom line is, a beautiful bill was hijacked, and it is going to result in the loss of the fishing industry. I can assure my friend, if you had a proposal—and you have had some—that threatened your oil industry, you are down there and I say: Fine, that is your job. It is my job to defend my fishing industry.

So there is nothing anyone can tell me that changes my mind, even though this puts me in a tough, tough, tough spot because the rest of the bill is beautiful and I greatly enjoyed working on it. But I know this stuff. Every single fishery organization opposes it. It is opposed strongly. Even Trout Unlimited—you know those folks. They don't get involved that often. Every single major newspaper opposes it, every single environmental organization. The White House said: We do not support the kinds of proposals that have been put forward to address some of the water resource issues.

Those are the facts. They are not subject to interpretation.

So let's be fair. We have a beautiful bill called WRDA. Standing on its own, it is one of my proudest accomplishments that I share with my chairman, but this rider did not belong in it.

Our position is, bring this bill down, strip the rider. You will have agreement, you will have the bill, and we can all go home happily. I know that is a very heavy lift, but that is the rationale. I hope when this thing gets to court—and it will get to court—that our words will be entered into the court record here. We know what we are talking about because we are from the West Coast.

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. BOXER. All right.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, I am about to yield back my time, except to make one last comment.

Everyone agrees it is a beautiful bill. They talk about the rider, but the rider came, not from someone else, it came from the Department of Commerce and the Department of the Interior, and that is the administration. So they are the ones that, I guess, made it into a bad bill, but nonetheless it is a good bill. It is one we all want, and I encourage my colleagues to support it.

Madam President, I yield back the remainder of my time.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to Calendar No. 65, S. 612, an act to designate the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, as the ''George P. Kazen Federal Building and United States Courthouse.''

James M. Inhofe, Roger F. Wicker, Orrin G. Hatch, Johnny Isakson, John Cornyn, Thad Cochran, Mike Crapo, Pat Roberts, Bill Cassidy, John Hoeven, John Barrasso, Thom Tillis, John Boozman, John Thune, Daniel Coats, Marco Rubio, Mitch McConnell.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to concur in the House amendment to S. 612 shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arkansas (Mr. COTTON).

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

The yeas and nays resulted—yeas 69, nays 30, as follows:

[Rollcall Vote No. 162 Leg.]

YEAS—69

Alexander	Enzi	Mikulski
Ayotte	Ernst	Moran
Barrasso	Feinstein	Murphy
Bennet	Fischer	Nelson
Blumenthal	Franken	Perdue
Blunt	Gardner	Peters
Booker	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Capito	Heitkamp	Rounds
Carper	Heller	Rubio
Casey	Hoeven	Schatz
Cassidy	Inhofe	Scott
Coats	Isakson	Shaheen
Cochran	Johnson	Stabenow
Collins	Kaine	Sullivan
Coons	Kirk	Tester
Corker	Klobuchar	Thune
Cornyn	Lankford	Tillis
Crapo	Leahy	Toomey
Cruz	Manchin	Vitter
Daines	McConnell	Warner
Donnelly	Menendez	Wicker

NAYS—30

Baldwin	King	Reid
Boxer	Lee	Sanders
Brown	Markey	Sasse
Cantwell	McCain	Schumer
Cardin	McCaskill	Sessions
Durbin	Merkley	Shelby
Flake	Murkowski	Udall
Gillibrand	Murray	Warren
Heinrich	Paul	Whitehouse
Hirono	Reed	Wyden

NOT VOTING—1

Cotton

The PRESIDING OFFICER. On this vote, the yeas are 69, the nays are 30.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The motion to refer falls.

Under the previous order, all postcloture time is expired.

MOTION TO CONCUR WITH AMENDMENT NO. 5144 WITHDRAWN

Under the previous order, the motion to concur with an amendment is withdrawn.

VOTE ON MOTION TO CONCUR

Under the previous order, the question occurs on agreeing to the motion to concur in the House amendment to S. 612.

Mr. RISCH. 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 senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arkansas (Mr. COTTON).

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

The result was announced—yeas 78, nays 21, as follows:

[Rollcall Vote No. 163 Leg.]

YEAS—78

Alexander	Enzi	Menendez
Ayotte	Ernst	Mikulski
Baldwin	Feinstein	Moran
Barrasso	Fischer	Murkowski
Bennet	Franken	Murphy
Blumenthal	Gardner	Nelson
Blunt	Graham	Perdue
Booker	Grassley	Peters
Boozman	Hatch	Portman
Brown	Heinrich	Risch
Burr	Heitkamp	Roberts
Capito	Heller	Rounds
Cardin	Hoeven	Rubio
Carper	Inhofe	Schatz
Casey	Isakson	Scott
Cassidy	Johnson	Shaheen
Coats	Kaine	Stabenow
Cochran	King	Sullivan
Collins	Kirk	Tester
Coons	Klobuchar	Thune
Corker	Lankford	Tillis
Cornyn	Leahy	Toomey
Crapo	Manchin	Udall
Cruz	Markey	Vitter
Daines	McCaskill	Warner
Donnelly	McConnell	Wicker

NAYS—21

Boxer	McCain	Sasse
Cantwell	Merkley	Schumer
Durbin	Murray	Sessions
Flake	Paul	Shelby
Gillibrand	Reed	Warren
Hirono	Reid	Whitehouse
Lee	Sanders	Wyden

NOT VOTING—1

Cotton

The motion was agreed to.

DIRECTING THE SECRETARY OF THE SENATE TO MAKE A CORRECTION IN THE ENROLLMENT OF THE BILL S. 612

The PRESIDING OFFICER. Under the previous order, the clerk will report H. Con. Res. 183.

The senior assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 183) directing the Secretary of the Senate to make a correction in the enrollment of the bill S. 612.

The PRESIDING OFFICER. Under the previous order, the concurrent resolution, H. Con. Res. 183, is considered and agreed to.

The Senator from Arkansas.

MORNING BUSINESS

Mr. BOOZMAN. 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. Is there objection?

Without objection, it is so ordered.

JASTA

Mr. HATCH. Mr. President, today I wish to share some of my thoughts on an issue relating to the Justice Against Sponsors of Terrorism Act.

Few dispute the noble goal of ensuring that justice is done for the families of the victims of September 11. Time after time, this body has acted to honor the memories of the fallen from that terrible day, just as it should. But in acting to honor the victims of September 11 and the grieving families they left behind, we cannot lose sight of other crucial policy goals that enjoy broad bipartisan support, such as preserving important legal principles that protect the members of our Armed Forces and perpetuate strong relations with important allies.

As an article in the December 6 edition of the New York Times explains, there are ample concerns that individual citizens of a close U.S. ally have funded terrorist activities and may have assisted those who carried out the September 11 attacks.

Despite the claim that this ally has taken any official action to support the September 11 attackers remains far from proven and, in fact, has been of great and instrumental assistance that this ally has provided in prosecuting the war on terrorism, questions do remain.

In response, the families of numerous September 11 victims looked to resolve these questions through the courts. Specifically, they sought a change to the law that greatly expands the ability of a private individual to bring a suit in federal court against a sovereign nation. Heeding the calls for justice from victims' families, we recently enacted the Justice Against Sponsors of Terrorism Act law, and as a result, the scope of the legal principle known as sovereign immunity—here, the immunity of a foreign government from a civil suit in our Federal courts—has been distinctly reduced.

Again, there is nothing wrong with September 11 families seeking justice; in fact, I laud them for their commitment and perseverance, which is why I supported the passage of this legislation at the time and still strongly support its goals. Nevertheless, one of the consequences of the exact language of the new statute is that our important ally now faces the prospect of going through the extensive and intrusive discovery process in federal court. As a result, one of our closest partners in the war on terrorism could be ordered by a Federal judge to turn over some of their most sensitive documents in order to show that their official governments actions did not directly support the September 11 attackers. Indeed, nothing in the recently declassified portions of the September 11 Commission Report suggests that our ally's government leadership had any role in the attack.

We must consider how the technical features of this change in the law will affect our national security. If we allow such lawsuits to proceed under the particulars of the newly enacted statutory language here in the United States, we undermine the central premise of our objection to other countries that might seek to modify their sovereign immunity laws by permitting lawsuits against the United States. We could easily find ourselves at the mercy of a foreign justice system—one far different than our own—if someone filed suit in a foreign nation against the United States and demanded that our government turn over highly classified documents. If our government refused, that foreign court could potentially exact serious consequences, such as freezing American assets overseas. Worse yet, if other nations change their sovereign immunity laws, foreign courts could potentially begin to hold U.S. service members personally liable, both civilly and criminally, for actions they have based upon the lawful orders of their superiors.

In sum, once we begin to unravel sovereign immunity at home, we risk creating a cascade of unintended consequences abroad.

These concerns are widely shared. In a recent op-ed in the Wall Street Journal, former Attorney General Michael Mukasey and Ambassador John Bolton made those very same arguments. They also point out that the new law ''shifts authority for a huge component of national security from the politically accountable branches—the President and the Congress—to the Judiciary, the branch least competent to deal with international matters of life and death.

In fact, I was particularly struck by the fact that the editorial boards of the New York Times, the Wall Street Journal, the Washington Post, the Los Angeles Times, and Bloomberg have all raised serious and substantial concerns regarding the particulars of the new legislation. Mr. President, I ask unanimous consent that some of these editorials be printed in the RECORD following my remarks.

Not only do these editorial boards believe this is not in the best interest of the United States, but so do our closest allies as well. Specifically, officials from the European Union, the United Kingdom, and the Netherlands have all written public messages or passed resolutions echoing these arguments. Mr. President, I ask unanimous consent that a letter from the government of the Netherlands be printed in the RECORD following my remarks.

Nevertheless, I do believe a solution can be found that provides justice for the September 11 families while enhancing our national security. My optimism stems in no small part from the leaders involved. I understand Senators MCCAIN and GRAHAM are working on just such a compromise, and I fully support their efforts to achieve a just resolution of this issue. Furthermore, we all owe Senator CORNYN a debt of gratitude for his leadership in ensuring that justice is done. I am also greatly encouraged that Senator SCHUMER is leading the Democratic efforts on this matter.

The role of the Senate is to resolve the great issues facing our Nation by forging lasting consensus. We have numerous such challenges in the past, and I fervently believe that building such a solution is possible. I urge all my colleagues to help us move toward this goal.

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

[From the New York Times, Sept. 28, 2016]

THE RISKS OF SUING THE SAUDIS FOR 9/11

(By the Editorial Board)

The Senate and the House are expected to vote this week on whether to override President Obama's veto of a bill that would allow families of the victims of the Sept. 11 attacks to sue Saudi Arabia for any role it had in the terrorist operations. The lawmakers should let the veto stand.

The legislation, called the Justice Against Sponsors of Terrorism Act, would expand an exception to sovereign immunity, the legal principle that protects foreign countries and their diplomats from lawsuits in the American legal system. While the aim—to give the families their day in court—is compassionate, the bill complicates the United States' relationship with Saudi Arabia and could expose the American government, citizens and corporations to lawsuits abroad. Moreover, legal experts like Stephen Vladeck of the University of Texas School of Law and Jack Goldsmith of Harvard Law School doubt that the legislation would actually achieve its goal.

Co-sponsored by Senator Chuck Schumer, Democrat of New York, and Senator John Cornyn, Republican of Texas, the measure is intended to overcome a series of court rulings that have blocked all lawsuits filed by the 9/11 families against the Saudi government. The Senate passed the bill unanimously in May, and the House gave its approval this month.

The legislation would, among other things, amend a 1976 law that grants other countries broad immunity from American lawsuits—unless the country is on the State Department's list of state sponsors of terrorism (Iran, Sudan and Syria) or is alleged to have committed a terrorist attack that killed Americans on United States soil. The new bill would clarify that foreign governments can be held liable for aiding terrorist groups, even if that conduct occurred overseas.

Advocates say the measure is narrowly drawn, but administration officials argue that it would apply much more broadly and result in retaliatory actions by other nations. The European Union has warned that