

S. 497

At the request of Ms. CANTWELL, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from Pennsylvania (Mr. CASEY), and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 497, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 515

At the request of Mr. CASEY, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 515, a bill to require the Secretary of Labor to maintain a publicly available list of all employers that relocate a call center overseas, to make such companies ineligible for Federal grants or guaranteed loans, and to require disclosure of the physical location of business agents engaging in customer service communications, and for other purposes.

S. 517

At the request of Mrs. FISCHER, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 517, a bill to amend the Clean Air Act with respect to the ethanol waiver for Reid vapor pressure limitations under such Act.

S. 518

At the request of Mr. WICKER, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 518, a bill to amend the Federal Water Pollution Control Act to provide for technical assistance for small treatment works.

S. 544

At the request of Mr. TESTER, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 544, a bill to amend Veterans Access, Choice, and Accountability Act of 2014 to modify the termination date for the Veterans Choice Program, and for other purposes.

At the request of Mr. MCCAIN, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 544, *supra*.

S. 608

At the request of Mrs. FEINSTEIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 608, a bill to nullify the effect of the March 6, 2017 executive order that temporarily restricts most nationals from six countries from entering the United States.

S. 629

At the request of Mrs. FEINSTEIN, the names of the Senator from New York (Mrs. GILLIBRAND), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 629, a bill to amend the Federal Food, Drugs, and Cosmetic Act to ensure the safety and effectiveness of medically important antimicrobials approved for use in the prevention, control, and treatment of animal diseases, in order

to minimize the development of antibiotic-resistant bacteria.

S.J. RES. 27

At the request of Mr. CASSIDY, the names of the Senator from Alabama (Mr. SHELBY) and the Senator from Kentucky (Mr. MCCONNELL) were added as cosponsors of S.J. Res. 27, a joint resolution disapproving the rule submitted by the Department of Labor relating to "Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness".

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. SHAHEEN (for herself, Mr. MCCAIN, Mr. REED, Mr. TILLIS, Mr. BLUMENTHAL, and Mr. KAINE):

S. 630. A bill to amend the Afghan Allies Protection Act of 2009 to make 2,500 visas available for the Afghan Special Immigrant Visa program, and for other purposes; to the Committee on the Judiciary.

Mrs. SHAHEEN. Mr. President, I come to the floor again today to speak about a program I have been working on that has had bipartisan support for a number of years; that is, the Afghan Special Immigrant Visa Program. This program allows Afghans, including interpreters, who have supported the U.S. mission in Afghanistan and who face threats as a result of their service to apply for refuge in the United States. As I said, this has had strong bipartisan support. I have worked with Senators MCCAIN, TILLIS, LEAHY, GRAHAM, and so many others here in the Chamber to try to make sure we provide enough visas for those Afghans who are being threatened and who want to come to the United States.

I wish to point out that the Trump administration, even as it has sharply restricted immigration and refugee programs, has made exceptions for those who served alongside our soldiers and diplomats. In fact, when the administration's original Executive order on immigration was released, there was bipartisan anger that Iraqi interpreters were not protected because this program has served not just those in Afghanistan who have helped us but also those in Iraq. So the administration recognized its mistake and has made an exception for Iraqi SIV recipients, and now they have exempted Iraq from their Executive order.

It is really past time that we rally renewed support for the Afghan SIV Program. Last week, we learned that the State Department has stopped interviewing applicants for the Afghan program because there are more applicants in the final stages of the process than there are visas. Unless Congress acts, the final visas will be exhausted by the end of May. It is estimated that more than 10,000 applicants are still in some step of the process of obtaining these visas.

For these Afghans, it really is no exaggeration to say that this is a matter

of life and death. Interpreters who served the U.S. mission are being systematically hunted down by the Taliban, and unless Congress acts, this program will lapse and we will abandon these Afghans to a harsh fate.

The United States promised to protect those Afghans who served our mission with great loyalty and at enormous risk, and it would be a stain on our national honor to break this promise. It would also carry profound strategic costs. U.S. forces and diplomats have always relied on local people to help us accomplish our missions. We continue to require this assistance in Afghanistan, and we will need this support in other places in the future where we face conflict. So we have to ask, if we don't keep our promise, why would anyone agree to help the United States if we abandon those who assist us? This is exactly why the former commander of U.S. forces in Afghanistan, GEN David Petraeus, and his predecessor, GEN Stanley McChrystal, have pleaded with Congress to extend the Afghan SIV Program. In a letter to Congress last year, more than 30 additional prominent generals, including Gen. John Allen, the former commander in Afghanistan, GEN George Casey, the former commander in Iraq, and two former Chairmen of the Joint Chiefs of Staff also urged Congress to extend the program.

In addition, our soldiers and marines are keenly interested in protecting the interpreters who served with them in Afghanistan. Many of them owe their lives to the interpreters who went into combat with them. In recent years, I have gotten to know one of those servicemen, a former Army captain, Michael Breen, who is a Granite Stater. He served with the infantry in Iraq and led paratroopers in Afghanistan. He speaks with admiration about one interpreter in particular who was an Iraqi—part of the Iraqi program—a woman in her early twenties who was named Wissam.

On one occasion, Captain Breen and his soldiers were at a small forward operating base in Iraq. He said that a man approached, frantically pointing to his watch and indicating an explosion with his hands. The Americans didn't speak Arabic, so they couldn't tell if the man was trying to warn them or threaten them. Wissam hurried over toward Captain Breen to assist. Wissam was beloved by her American comrades, always cheerful and eager to help. She listened to the man and said that he was actually there warning of an improvised explosive device on the main road.

As Captain Breen later told me, "A trusted interpreter can be the difference between a successful patrol and a body bag." He noted that every night, he and his fellow soldiers would hunker down in their heavily guarded perimeter, but Wissam would leave the compound and go home. One evening after she left the American compound, three gunmen ambushed her car. She was killed—one more interpreter who paid

the ultimate price for serving the American mission. As Captain Breen later said, one day there will be a granite monument with the names of all of the American servicemembers who died in Iraq and Afghanistan. Wissam deserves to have her name on that monument, too, because she took great risks and she gave her life while serving the United States.

To be eligible for a visa through the Afghan SIV Program, new applicants must demonstrate at least 2 years of faithful and valuable service to the U.S. mission. To receive a visa, they must also clear a rigorous screening process that includes an independent verification of their service and then an intensive interagency review.

We know that the service of these individuals has been critical to our successes in Afghanistan.

Last month in Keene, NH, I met with a remarkable recent immigrant from Afghanistan named Patmana Rafiq Kunary. Patmana had worked closely with the U.S. Agency for International Development in Kabul. She went door to door, encouraging women to take out microloans to start their own businesses. Patmana eventually became vice president for operations at the USAID-sponsored Microloan Program.

In fact, just today I talked to a woman reporter from Afghanistan who wanted to know what message of hope I could provide to the women of Afghanistan. Well, I told her about Patmana, and I told her that one of the things that keep us in Afghanistan supporting our soldiers is concern about what is happening to the women in Afghanistan.

For Patmana, going door to door and working closely with Americans—this was dangerous work. She drew unwelcome attention wherever she went, and she became a high-profile target for the Taliban and others. And then one day in 2013, she got a call at her USAID office. It was from the distraught wife of one of her USAID colleagues, another Afghan. The caller's husband had just been murdered, apparently in retaliation for his work with the Americans.

Realizing that her life was in danger, too, Patmana applied for a special immigrant visa. For 2 years, she and her husband were subjected to repeated interviews at the U.S. Embassy in Kabul. Her background was checked and rechecked before visas were finally granted. She told me that they would move frequently. They couldn't stay in one place very long because the Taliban would find them. And she said occasionally there was a knock on her relatives' door, saying "We know where Patmana is," and that would be a signal to move.

She and her husband now live happily in Keene, NH. I am pleased to say her husband has found work as an auditor with a local financial company, and they have a 2-year-old daughter. They are welcomed as valued members of the Keene community and of our larger Granite State family.

The many contributions of these Afghans—both in Afghanistan and now as residents or citizens of the United States—those contributions help explain why senior U.S. commanders and diplomats have urged Congress to extend the Afghan SIV Program. Our Secretary of Defense, GEN James Mattis, during the confirmation process, said: "Most of our units could not have accomplished their missions without the assistance, often at the risk of their lives, of these courageous men and women."

We would never leave an American warrior behind on the battlefield. Likewise, we must not leave behind the Afghan interpreters who served side by side with our warriors and diplomats.

We made a solemn promise to these brave people, and I am going to do everything I can to ensure that we keep this promise. I know there is a lot of bipartisan support in this body to do that. So today I am introducing the Keep Our Promise to Our Afghan Allies Act with Senators MCCAIN, REED, and TILLIS. This legislation would authorize additional special immigrant visas and would help ensure that the program does not lapse and leave behind thousands of Afghans who helped us with the threat by the Taliban.

In addition, I intend to work closely with Senators who are negotiating legislation to fund the Federal Government in order to ensure that additional visas are included. I urge my colleagues to join me. Let's keep the promise we made to our Afghan allies and support these efforts.

By Mr. DURBIN (for himself, Mr. BROWN, Mr. MARKEY, Mr. CARDIN, Mr. CASEY, and Mr. VAN HOLLEN):

S. 640. A bill to prioritize funding for an expanded and sustained national investment in biomedical research; to the Committee on the Budget.

S. 640

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "American Cures Act".

#### SEC. 2. CAP ADJUSTMENT.

(a) IN GENERAL.—Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)) is amended—

(1) by redesignating subparagraph (D) as subparagraph (E); and

(2) by inserting after subparagraph (C), the following:

"(D) BIOMEDICAL RESEARCH.—

"(i) NATIONAL INSTITUTES OF HEALTH.—If a bill or joint resolution making appropriations for a fiscal year is enacted that specifies amounts for the National Institutes of Health at the Department of Health and Human Services, then the adjustments for that fiscal year shall be the amount of additional new budget authority provided in that Act for such programs for that fiscal year, but shall not exceed—

"(I) for fiscal year 2017, \$2,966,000,000 in additional new budget authority;

"(II) for fiscal year 2018, \$4,718,000,000 in additional new budget authority;

"(III) for fiscal year 2019, \$6,643,000,000 in additional new budget authority;

"(IV) for fiscal year 2020, \$8,743,000,000 in additional new budget authority; and

"(V) for fiscal year 2021, \$10,981,000,000 in additional new budget authority.

"(ii) CENTERS FOR DISEASE CONTROL AND PREVENTION.—If a bill or joint resolution making appropriations for a fiscal year is enacted that specifies amounts for the Centers for Disease Control and Prevention at the Department of Health and Human Services, then the adjustments for that fiscal year shall be the amount of additional new budget authority provided in that Act for such programs for that fiscal year, but shall not exceed—

"(I) for fiscal year 2017, \$1,430,000,000 in additional new budget authority;

"(II) for fiscal year 2018, \$1,828,000,000 in additional new budget authority;

"(III) for fiscal year 2019, \$2,264,000,000 in additional new budget authority;

"(IV) for fiscal year 2020, \$2,740,000,000 in additional new budget authority; and

"(V) for fiscal year 2021, \$3,247,000,000 in additional new budget authority.

"(iii) DEPARTMENT OF DEFENSE HEALTH PROGRAM.—If a bill or joint resolution making appropriations for a fiscal year is enacted that specifies amounts for the Department of Defense health program, then the adjustments for that fiscal year shall be the amount of additional new budget authority provided in that Act for such programs for that fiscal year, but shall not exceed—

"(I) for fiscal year 2017, \$135,100,000 in additional new budget authority;

"(II) for fiscal year 2018, \$241,000,000 in additional new budget authority;

"(III) for fiscal year 2019, \$356,000,000 in additional new budget authority;

"(IV) for fiscal year 2020, \$482,000,000 in additional new budget authority; and

"(V) for fiscal year 2021, \$618,000,000 in additional new budget authority.

"(iv) MEDICAL AND PROSTHETICS RESEARCH PROGRAM OF THE DEPARTMENT OF VETERANS AFFAIRS.—If a bill or joint resolution making appropriations for a fiscal year is enacted that specifies amounts for the medical and prosthetics research program of the Department of Veterans Affairs, then the adjustments for that fiscal year shall be the amount of additional new budget authority provided in that Act for such programs for that fiscal year, but shall not exceed—

"(I) for fiscal year 2017, \$36,000,000 in additional new budget authority;

"(II) for fiscal year 2018, \$65,000,000 in additional new budget authority;

"(III) for fiscal year 2019, \$98,000,000 in additional new budget authority;

"(IV) for fiscal year 2020, \$134,000,000 in additional new budget authority; and

"(V) for fiscal year 2021, \$172,000,000 in additional new budget authority.

"(v) DEFINITIONS.—As used in this subparagraph:

"(I) ADDITIONAL NEW BUDGET AUTHORITY.—The term 'additional new budget authority' means—

"(aa) with respect to the National Institutes of Health, the amount provided for a fiscal year, in excess of the amount provided in fiscal year 2016, in an appropriation Act and specified to support the National Institutes of Health;

"(bb) with respect to the Centers for Disease Control and Prevention, the amount provided for a fiscal year, in excess of the amount provided in fiscal year 2016, in an appropriation Act and specified to support the Centers for Disease Control and Prevention;

"(cc) with respect to the Department of Defense health program, the amount provided for a fiscal year, in excess of the

amount provided in fiscal year 2016, in an appropriation Act and specified to support the Department of Defense health program; and

“(dd) with respect to the medical and prosthetics research program of the Department of Veterans Affairs, the amount provided for a fiscal year, in excess of the amount provided in fiscal year 2016, in an appropriation Act and specified to support the medical and prosthetics research program of the Department of Veterans Affairs.

“(II) CENTERS FOR DISEASE CONTROL AND PREVENTION.—The term ‘Centers for Disease Control and Prevention’ means the appropriations accounts that support the various institutes, offices, and centers that make up the Centers for Disease Control and Prevention.

“(III) DEPARTMENT OF DEFENSE HEALTH PROGRAM.—The term ‘Department of Defense health program’ means the appropriations accounts that support the various institutes, offices, and centers that make up the Department of Defense health program.

“(IV) MEDICAL AND PROSTHETICS RESEARCH PROGRAM OF THE DEPARTMENT OF VETERANS AFFAIRS.—The term ‘medical and prosthetics research program of the Department of Veterans Affairs’ means the appropriations accounts that support the various institutes, offices, and centers that make up the medical and prosthetics research program of the Department of Veterans Affairs.

“(V) NATIONAL INSTITUTES OF HEALTH.—The term ‘National Institutes of Health’ means the appropriations accounts that support the various institutes, offices, and centers that make up the National Institutes of Health.”.

(b) FUNDING.—There are hereby authorized to be appropriated—

(1) for the National Institutes of Health, the amounts provided for under clause (i) of such section 251(b)(2)(D) in each of fiscal years 2017 through 2021, and such sums as may be necessary for each subsequent fiscal year;

(2) for the Secretary of Health and Human Services, acting through the Centers for Disease Control and Prevention, the amounts provided for under clause (ii) of such section 251(b)(2)(D) in each of fiscal years 2017 through 2021, and such sums as may be necessary for each subsequent fiscal year;

(3) for the Department of Defense health program, the amounts provided for under clause (iii) of such section 251(b)(2)(D) in each of fiscal years 2017 through 2021, and such sums as may be necessary for each subsequent fiscal year; and

(4) for the Medical and prosthetics research program of the Department of Veterans Affairs, the amounts provided for under clause (iv) of such section 251(b)(2)(D) in each of fiscal years 2017 through 2021, and such sums as may be necessary for each subsequent fiscal year.

(c) MINIMUM CONTINUED FUNDING REQUIREMENT.—Amounts appropriated for each of the programs and agencies described in section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as added by subsection (a)) for each of fiscal years 2017 through 2021, and each subsequent fiscal year, shall not be less than the amounts appropriated for such programs and agencies for fiscal year 2016.

(d) EXEMPTION OF CERTAIN APPROPRIATIONS FROM SEQUESTRATION.—

(1) IN GENERAL.—Section 255(g)(1)(A) of the Balanced Budget and Emergency Deficit Control Act (2 U.S.C. 905(g)(1)(A)) is amended by inserting after “Advances to the Unemployment Trust Fund and Other Funds (16–0327–0–1–600).” the following:

“Appropriations under the American Cures Act.”.

(2) APPLICABILITY.—The amendment made by this section shall apply to any sequestra-

tion order issued under the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) on or after the date of enactment of this Act.

By Mr. DURBIN (for himself and Ms. BALDWIN):

S. 641. A bill to prioritize funding for an expanded and sustained national investment in basic science research; to the Committee on the Budget.

S. 641

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

# SECTION 1. SHORT TITLE.

This Act may be cited as the “American Innovation Act”.

## SEC. 2. CAP ADJUSTMENT.

(a) IN GENERAL.—Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)) is amended—

(1) by redesignating subparagraph (D) as subparagraph (E); and

(2) by inserting after subparagraph (C), the following:

“(D) BASIC SCIENCE RESEARCH.—

“(i) NATIONAL SCIENCE FOUNDATION.—If a bill or joint resolution making appropriations for a fiscal year is enacted that specifies amounts for the National Science Foundation, then the adjustments for that fiscal year shall be the amount of additional new budget authority provided in that Act for such programs for that fiscal year, but shall not exceed—

“(I) for fiscal year 2017, \$429,000,000 in additional new budget authority;

“(II) for fiscal year 2018, \$834,000,000 in additional new budget authority;

“(III) for fiscal year 2019, \$1,279,000,000 in additional new budget authority;

“(IV) for fiscal year 2020, \$1,764,000,000 in additional new budget authority; and

“(V) for fiscal year 2021, \$2,279,000,000 in additional new budget authority.

“(ii) DEPARTMENT OF ENERGY, OFFICE OF SCIENCE.—If a bill or joint resolution making appropriations for a fiscal year is enacted that specifies amounts for the Office of Science at the Department of Energy, then the adjustments for that fiscal year shall be the amount of additional new budget authority provided in that Act for such programs for that fiscal year, but shall not exceed—

“(I) for fiscal year 2017, \$378,000,000 in additional new budget authority;

“(II) for fiscal year 2018, \$674,000,000 in additional new budget authority;

“(III) for fiscal year 2019, \$998,000,000 in additional new budget authority;

“(IV) for fiscal year 2020, \$1,351,000,000 in additional new budget authority; and

“(V) for fiscal year 2021, \$1,727,000,000 in additional new budget authority.

“(iii) DEPARTMENT OF DEFENSE SCIENCE AND TECHNOLOGY PROGRAMS.—If a bill or joint resolution making appropriations for a fiscal year is enacted that specifies amounts for the Department of Defense science and technology programs, then the adjustments for that fiscal year shall be the amount of additional new budget authority provided in that Act for such programs for that fiscal year, but shall not exceed—

“(I) for fiscal year 2017, \$931,000,000 in additional new budget authority;

“(II) for fiscal year 2018, \$1,661,000,000 in additional new budget authority;

“(III) for fiscal year 2019, \$2,456,000,000 in additional new budget authority;

“(IV) for fiscal year 2020, \$3,320,000,000 in additional new budget authority; and

“(V) for fiscal year 2021, \$4,258,000,000 in additional new budget authority.

“(iv) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES.—If a bill or joint resolution making appropriations for a fiscal year is enacted that specifies amounts for the scientific and technical research and services of the National Institute of Standards and Technology at the Department of Commerce, then the adjustments for that fiscal year shall be the amount of additional new budget authority provided in that Act for such programs for that fiscal year, but shall not exceed—

“(I) for fiscal year 2017, \$42,000,000 in additional new budget authority;

“(II) for fiscal year 2018, \$73,000,000 in additional new budget authority;

“(III) for fiscal year 2019, \$108,000,000 in additional new budget authority;

“(IV) for fiscal year 2020, \$147,000,000 in additional new budget authority; and

“(V) for fiscal year 2021, \$188,000,000 in additional new budget authority.

“(v) NATIONAL AERONAUTICS AND SPACE ADMINISTRATION SCIENCE MISSION DIRECTORATE.—If a bill or joint resolution making appropriations for a fiscal year is enacted that specifies amounts for the Science Mission Directorate at the National Aeronautics and Space Administration, then the adjustments for that fiscal year shall be the amount of additional new budget authority provided in that Act for such programs for that fiscal year, but shall not exceed—

“(I) for fiscal year 2017, \$302,000,000 in additional new budget authority;

“(II) for fiscal year 2018, \$600,000,000 in additional new budget authority;

“(III) for fiscal year 2019, \$928,000,000 in additional new budget authority;

“(IV) for fiscal year 2020, \$1,286,000,000 in additional new budget authority; and

“(V) for fiscal year 2021, \$1,666,000,000 in additional new budget authority.

“(vi) DEFINITIONS.—As used in this subparagraph:

“(I) ADDITIONAL NEW BUDGET AUTHORITY.—The term ‘additional new budget authority’ means—

“(aa) with respect to the National Science Foundation, the amount provided for a fiscal year, in excess of the amount provided in fiscal year 2016, in an appropriation Act and specified to support the National Science Foundation;

“(bb) with respect to the Department of Energy Office of Science, the amount provided for a fiscal year, in excess of the amount provided in fiscal year 2016, in an appropriation Act and specified to support the Department of Energy Office of Science;

“(cc) with respect to the Department of Defense science and technology programs, the amount provided for a fiscal year, in excess of the amount provided in fiscal year 2016, in an appropriation Act and specified to support the Department of Defense science and technology programs;

“(dd) with respect to the National Institute of Standards and Technology scientific and technical research services, the amount provided for a fiscal year, in excess of the amount provided in fiscal year 2016, in an appropriation Act and specified to support the National Institute of Standards and Technology scientific and technical research services; and

“(ee) with respect to the National Aeronautics and Space Administration Science Mission Directorate, the amount provided for a fiscal year, in excess of the amount provided in fiscal year 2016, in an appropriation Act and specified to support the National Aeronautics and Space Administration Science Mission Directorate.

“(II) DEPARTMENT OF DEFENSE SCIENCE AND TECHNOLOGY PROGRAMS.—The term ‘Department of Defense science and technology programs’ means the appropriations accounts that support the various institutes, offices, and centers that make up the Department of Defense science and technology programs.

“(III) DEPARTMENT OF ENERGY OFFICE OF SCIENCE.—The term ‘Department of Energy Office of Science’ means the appropriations accounts that support the various institutes, offices, and centers that make up the Department of Energy Office of Science.

“(IV) NATIONAL AERONAUTICS AND SPACE ADMINISTRATION SCIENCE MISSION DIRECTORATE.—The term ‘National Aeronautics and Space Administration Science Mission Directorate’ means the appropriations accounts that support the various institutes, offices, and centers that make up the National Aeronautics and Space Administration Science Mission Directorate.

“(V) NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES.—The term ‘National Institute of Standards and Technology scientific and technical research and services’ means the appropriations accounts that support the various institutes, offices, and centers that make up the National Institute of Standards and Technology scientific and technical research and services.

“(VI) NATIONAL SCIENCE FOUNDATION.—The term ‘National Science Foundation’ means the appropriations accounts that support the various institutes, offices, and centers that make up the National Science Foundation.”.

(b) FUNDING.—There are hereby authorized to be appropriated—

(1) for the National Science Foundation, the amounts provided for under clause (i) of such section 251(b)(2)(D) in each of fiscal years 2017 through 2021, and such sums as may be necessary for each subsequent fiscal year;

(2) for the Department of Energy Office of Science, the amounts provided for under clause (ii) of such section 251(b)(2)(D) in each of fiscal years 2017 through 2021, and such sums as may be necessary for each subsequent fiscal year;

(3) for the Department of Defense science and technology programs, the amounts provided for under clause (iii) of such section 251(b)(2)(D) in each of fiscal years 2017 through 2021, and such sums as may be necessary for each subsequent fiscal year;

(4) for the National Institute of Standards and Technology scientific and technical research and services, the amounts provided for under clause (iv) of such section 251(b)(2)(D) in each of fiscal years 2017 through 2021, and such sums as may be necessary for each subsequent fiscal year; and

(5) for the National Aeronautics and Space Administration Science Mission Directorate, the amounts provided for under clause (v) of such section 251(b)(2)(D) in each of fiscal years 2016 through 2021, and such sums as may be necessary for each subsequent fiscal year.

(c) MINIMUM CONTINUED FUNDING REQUIREMENT.—Amounts appropriated for each of the programs and agencies described in section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as added by subsection (a)) for each of fiscal years 2017 through 2021, and each subsequent fiscal year, shall not be less than the amounts appropriated for such programs and agencies for fiscal year 2016.

(d) EXEMPTION OF CERTAIN APPROPRIATIONS FROM SEQUESTRATION.—

(1) IN GENERAL.—Section 255(g)(1)(A) of the Balanced Budget and Emergency Deficit Control Act (2 U.S.C. 905(g)(1)(A)) is amended by inserting after “Advances to the Unem-

ployment Trust Fund and Other Funds (16-0327–0–1–600).” the following:

“Appropriations under the American Innovation Act.”.

(2) APPLICABILITY.—The amendment made by this section shall apply to any sequestration order issued under the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) on or after the date of enactment of this Act.

By Mr. GRASSLEY (for himself, Ms. KLOBUCHAR, Mr. CORNYN, Mr. DURBIN, Mr. GRAHAM, Mr. LEAHY, Mr. FRANKEN, Mr. BLUMENTHAL, and Mr. MARKEY):

S. 643. A bill to provide for media coverage of Federal court proceedings; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, affirming the public’s right to know how their government is run, Sunshine Week is an annual reminder of the importance of transparency and accountability in a government of the people, by the people, and for the people. In the spirit of government transparency, I am pleased to join a bipartisan group of colleagues to introduce the Sunshine in the Courtroom Act of 2017. This important piece of legislation furthers the public’s access to court proceedings by permitting Federal judges at all Federal court levels to open their courtrooms to television cameras and radio broadcasts.

For decades, and with great results, States such as my home State of Iowa have allowed cameras in their courtrooms. In fact, all 50 States and the District of Columbia now allow some news coverage of proceedings, and it is time we join them. This openness in our courts improves the public’s understanding of the legal system and what happens inside our courts.

However, our Federal judicial system unnecessarily remains a mystery to many across the country. The bill I am introducing today, along with Senator KLOBUCHAR and a number of cosponsors from both sides of the aisle, will greatly improve public access to Federal courts by letting Federal judges open their courtrooms to television cameras and other forms of electronic media. Letting the Sun shine in on our Federal courtrooms will allow Americans to better understand the judicial process.

The Sunshine in the Courtroom Act will ensure that the introduction of cameras and other broadcasting devices into courtrooms goes as smoothly as it has at the State level. This legislation leaves the presence of the cameras in Federal trial and appellate courts to the sole discretion of the judges—it is not mandatory. The bill also provides a mechanism for Congress to study the effects of this legislation on our judiciary before making this change permanent through a 3-year sunset provision. The bill protects the privacy and safety of nonparty witnesses by giving them the right to have their faces and voices obscured. Additionally, the bill prohibits the televising of jurors and includes a provi-

sion to protect the due process rights of each party.

It is time to open the courthouse doors and let the light shine in on the Federal judiciary. Granting the public greater access to an already public proceeding will inspire greater faith in and appreciation for our judges who pledge equal and impartial justice for all.

Mr. President, I ask unanimous consent that the text of this bill be printed in the RECORD.

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

S. 643

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Sunshine in the Courtroom Act of 2017”.

#### SEC. 2. FEDERAL APPELLATE AND DISTRICT COURTS.

(a) DEFINITIONS.—In this section:

(1) PRESIDING JUDGE.—The term “presiding judge” means the judge presiding over the court proceeding concerned. In proceedings in which more than 1 judge participates, the presiding judge shall be the senior active judge so participating or, in the case of a circuit court of appeals, the senior active circuit judge so participating, except that—

(A) in en banc sittings of any United States circuit court of appeals, the presiding judge shall be the chief judge of the circuit whenever the chief judge participates; and

(B) in en banc sittings of the Supreme Court of the United States, the presiding judge shall be the Chief Justice whenever the Chief Justice participates.

(2) APPELLATE COURT OF THE UNITED STATES.—The term “appellate court of the United States” means any United States circuit court of appeals and the Supreme Court of the United States.

(b) AUTHORITY OF PRESIDING JUDGE TO ALLOW MEDIA COVERAGE OF COURT PROCEEDINGS.—

(1) AUTHORITY OF APPELLATE COURTS.—

(A) IN GENERAL.—Except as provided under subparagraph (B), the presiding judge of an appellate court of the United States may, at the discretion of that judge, permit the photographing, electronic recording, broadcasting, or televising to the public of any court proceeding over which that judge presides.

(B) EXCEPTION.—The presiding judge shall not permit any action under subparagraph (A), if—

(i) in the case of a proceeding involving only the presiding judge, that judge determines the action would constitute a violation of the due process rights of any party; or

(ii) in the case of a proceeding involving the participation of more than 1 judge, a majority of the judges participating determine that the action would constitute a violation of the due process rights of any party.

(2) AUTHORITY OF DISTRICT COURTS.—

(A) IN GENERAL.—

(i) AUTHORITY.—Notwithstanding any other provision of law, except as provided under clause (iii), the presiding judge of a district court of the United States may, at the discretion of that judge, permit the photographing, electronic recording, broadcasting, or televising to the public of any court proceeding over which that judge presides.

(ii) OBSCURING OF WITNESSES.—Except as provided under clause (iii)—

(I) upon the request of any witness (other than a party) in a trial proceeding, the court

shall order the face and voice of the witness to be disguised or otherwise obscured in such manner as to render the witness unrecognizable to the broadcast audience of the trial proceeding; and

(II) the presiding judge in a trial proceeding shall inform each witness who is not a party that the witness has the right to request the image and voice of that witness to be obscured during the testimony of the witness.

(iii) EXCEPTION.—The presiding judge shall not permit any action under this subparagraph—

(I) if that judge determines the action would constitute a violation of the due process rights of any party; and

(II) until the Judicial Conference of the United States promulgates mandatory guidelines under paragraph (5).

(B) NO MEDIA COVERAGE OF JURORS.—The presiding judge shall not permit the photographing, electronic recording, broadcasting, or televising of any juror in a trial proceeding, or of the jury selection process.

(C) DISCRETION OF THE JUDGE.—The presiding judge shall have the discretion to obscure the face and voice of an individual, if good cause is shown that the photographing, electronic recording, broadcasting, or televising of the individual would threaten—

(i) the safety of the individual;

(ii) the security of the court;

(iii) the integrity of future or ongoing law enforcement operations; or

(iv) the interest of justice.

(D) SUNSET OF DISTRICT COURT AUTHORITY.—The authority under this paragraph shall terminate 3 years after the date of the enactment of this Act.

(3) INTERLOCUTORY APPEALS BARRED.—The decision of the presiding judge under this subsection of whether or not to permit, deny, or terminate the photographing, electronic recording, broadcasting, or televising of a court proceeding may not be challenged through an interlocutory appeal.

(4) ADVISORY GUIDELINES.—The Judicial Conference of the United States may promulgate advisory guidelines to which a presiding judge, at the discretion of that judge, may refer in making decisions with respect to the management and administration of photographing, recording, broadcasting, or televising described under paragraphs (1) and (2).

(5) MANDATORY GUIDELINES.—Not later than 6 months after the date of enactment of this Act, the Judicial Conference of the United States shall promulgate mandatory guidelines that a presiding judge is required to follow for obscuring of certain vulnerable witnesses, including crime victims, minor victims, families of victims, cooperating witnesses, undercover law enforcement officers or agents, witnesses subject to section 3521 of title 18, United States Code, relating to witness relocation and protection, or minors under the age of 18 years. The guidelines shall include procedures for determining, at the earliest practicable time in any investigation or case, which witnesses should be considered vulnerable under this section.

(6) PROCEDURES.—In the interests of justice and fairness, the presiding judge of the court in which media use is desired has discretion to promulgate rules and disciplinary measures for the courtroom use of any form of media or media equipment and the acquisition or distribution of any of the images or sounds obtained in the courtroom. The presiding judge shall also have discretion to require written acknowledgment of the rules by anyone individually or on behalf of any entity before being allowed to acquire any images or sounds from the courtroom.

(7) NO BROADCAST OF CONFERENCES BETWEEN ATTORNEYS AND CLIENTS.—There shall be no

audio pickup or broadcast of conferences which occur in a court proceeding between attorneys and their clients, between co-counsel of a client, between adverse counsel, or between counsel and the presiding judge, if the conferences are not part of the official record of the proceedings.

(8) EXPENSES.—A court may require that any accommodations to effectuate this Act be made without public expense.

(9) INHERENT AUTHORITY.—Nothing in this Act shall limit the inherent authority of a court to protect witnesses or clear the courtroom to preserve the decorum and integrity of the legal process or protect the safety of an individual.

By Mr. DURBIN (for himself, Mr. GRASSLEY, Mr. FRANKEN, Mr. BLUMENTHAL, and Ms. KLOBUCHAR):

S. 649. A bill to permit the televising of Supreme Court proceedings; to the Committee on the Judiciary.

S. 649

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Cameras in the Courtroom Act”.

#### SEC. 2. AMENDMENT TO TITLE 28.

(a) IN GENERAL.—Chapter 45 of title 28, United States Code, is amended by inserting at the end the following:

##### “§ 678. Televising Supreme Court proceedings

“The Supreme Court shall permit television coverage of all open sessions of the Court unless the Court decides, by a vote of the majority of justices, that allowing such coverage in a particular case would constitute a violation of the due process rights of 1 or more of the parties before the Court.”.

(b) CLERICAL AMENDMENT.—The chapter analysis for chapter 45 of title 28, United States Code, is amended by inserting at the end the following:

“678. Televising Supreme Court proceedings.”.

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 87—EXPRESSING THE SENSE OF THE SENATE CONCERNING THE ONGOING CONFLICT IN SYRIA AS IT REACHES ITS SIX-YEAR MARK IN MARCH, THE ENSUING HUMANITARIAN CRISIS IN SYRIA AND NEIGHBORING COUNTRIES, THE RESULTING HUMANITARIAN AND NATIONAL SECURITY CHALLENGES, AND THE URGENT NEED FOR A POLITICAL SOLUTION TO THE CRISIS

Mr. KAINE (for himself, Mr. MCCAIN, Mr. RUBIO, and Mr. MURPHY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 87

Whereas the transnational Salafi-jihadi organizations ISIL and al Qaeda are utilizing the conflict in Syria and the actions of the Assad regime to recruit and mobilize fighter and popular support;

Whereas the crisis in Syria has led to the creation of terrorist safe havens controlled by ISIL and al Qaeda, along with other ex-

tremist groups, which have become bases from which to plan, direct, and inspire attacks against the United States and its allies and partners;

Whereas the spread of violence perpetuated by the Syrian conflict and the flow of refugees is a threat to the security of United States allies in the Middle East and Europe, placing immense domestic and humanitarian burdens on Syria's neighbors, most notably Lebanon and Jordan, as well as Turkey and Iraq;

Whereas the Syrian conflict has allowed Iran's Islamic Revolutionary Guard Corps and its proxies to increase their influence in parts of Syria and potentially threaten Israel's borders;

Whereas United Nations Security Council resolutions 2332 (2016), 2268 (2016), and 2139 (2014) call for the implementation of a cessation of hostilities in Syria and reaffirm the international community's support for the immediate, direct, and uninhibited access of humanitarian workers throughout the Syrian Arab Republic;

Whereas the United Nations High Commissioner for Refugees estimates that the Syrian conflict has created 4,800,000 refugees and 6,600,000 internally displaced persons;

Whereas widespread and systematic attacks on civilians, schools, hospitals, and other civilian infrastructure, in violation of international humanitarian law, continue in Syria, in particular as result of the actions of the Assad regime and its Russian and Iranian supporters;

Whereas widespread and systematic violations of the human rights of the people of Syria continue to be perpetrated by the Assad regime;

Whereas, according to Amnesty International, the Assad regime has a documented record of committing mass human rights abuses against detainees, including 5,000 to 13,000 detainees summarily executed by hanging between September 2011 through December 2015;

Whereas the regime of Bashar al-Assad has repeatedly blocked civilian access to or diverted humanitarian assistance, including medical supplies, from besieged and hard-to-reach areas, in violation of United Nations Security Council resolutions;

Whereas the Assad regime is subject to and in violation of both United Nations Security Council Resolution 2118 (2013) on the Framework for Elimination of Syrian Chemical Weapons and United Nations Security Council Resolution 2209 (2015) Condemning the Use of Chlorine Gas in Syria;

Whereas the Governments of the Russian Federation and Iran have supported the Assad regime, perpetuated the conflict, and deployed tactics and strategies that have caused grave harm to civilians, including their conduct in the siege of eastern Aleppo, constituting war crimes and crimes against humanity;

Whereas there exists sufficient documentation, as well as credible, clear, and convincing reporting, to charge Bashar al-Assad with war crimes and crimes against humanity due to the Assad regime's confirmed use of chemical weapons, use of barrel bombs against noncombatants, widespread use of torture, summary executions, prolonged sieges, forcible relocations, and indiscriminate targeting of civilians and humanitarian actors;

Whereas the United States Government has provided over \$5,800,000 since 2011 in humanitarian assistance to communities and people directly impacted by the Syrian conflict, including \$364,000,000 that will be provided in fiscal year 2017 for refugees and other people displaced by the Syrian conflict; and