

that Congress, the Trump administration and future administrations will continue to invest in our National parks to ensure their legacy endures for our children and generations to come.

**SENATE RESOLUTION 118—CON-  
DEMNING HATE CRIME AND ANY  
OTHER FORM OF RACISM, RELI-  
GIOUS OR ETHNIC BIAS, DIS-  
CRIMINATION, INCITEMENT TO  
VIOLENCE, OR ANIMUS TAR-  
GETING A MINORITY IN THE  
UNITED STATES**

Ms. HARRIS (for herself, Mr. RUBIO, Mrs. FEINSTEIN, and Ms. COLLINS) submitted the following resolution; which was considered and agreed to:

S. RES. 118

Whereas, in the past several years, violent crimes, threats of violence, and other incidents of hate-motivated targeting of religious, racial, and ethnic minorities have increased across the United States;

Whereas, in 2015, hate crimes targeting Muslims in the United States increased by 67 percent, reaching a level of violence targeting Muslim Americans that the United States had not experienced since the aftermath of the September 11, 2001, attacks, according to the Federal Bureau of Investigation;

Whereas, in 2015, anti-Semitic incidents increased in the United States for the second straight year, according to the Anti-Defamation League's 2015 Audit of Anti-Semitic Incidents, which describes trends such as the tripling of assaults targeting Jews since 2012 and the rise of online harassment and hate speech directed at Jewish journalists and individuals through social media;

Whereas, in 2015, anti-Semitic incidents at institutions of higher education nearly doubled compared to the number of those incidents in 2014, and during the 2016-2017 school year there has been an increase in white supremacist activity on college campuses across the United States, according to the Anti-Defamation League;

Whereas, in 2015, among single-bias hate crime incidents in the United States, 59.2 percent of victims were targeted due to racial, ethnic, or ancestry bias, and among those victims, 52.2 percent were victims of crimes motivated by their offenders' anti-Black or anti-African American bias, according to the Federal Bureau of Investigation;

Whereas, in 2017, there have been more than 100 reported bomb threats against Jewish community centers, Jewish day schools, and other Jewish organizations and institutions in more than 38 States;

Whereas, in 2017, Islamic centers and mosques have been burned in the States of Texas, Washington, and Florida, and Jewish cemeteries have been desecrated in the States of Missouri and Pennsylvania;

Whereas, in 2017, there has been harassment and hate-based violence against individuals who are perceived to be Arab or Muslim, including members of South Asian communities in the United States, and Hindu and Sikh Americans have been the target of hate-based violence targeting religious minorities; and

Whereas, on February 28, 2017, President Donald Trump, before a joint session of Congress, acknowledged threats targeting Jewish community centers and the vandalism of Jewish cemeteries, and stated that "we are a country that stands united in condemning hate and evil in all of its very ugly forms": Now, therefore, be it

*Resolved*, That the Senate—

(1) affirms that the United States stands united in condemning hate and evil in all forms;

(2) rejects hate-motivated crime as an attack on the fabric of the society of the United States and the ideals of pluralism and respect;

(3) condemns hate crime and any other form of racism, religious or ethnic bias, discrimination, incitement to violence, or animus targeting a minority in the United States;

(4) calls on Federal law enforcement officials, working with State and local officials—

(A) to expeditiously investigate all credible reports of hate crimes and incidents and threats against minorities in the United States; and

(B) to hold the perpetrators of those crimes, incidents, or threats accountable and bring the perpetrators to justice;

(5) encourages the Department of Justice and other Federal agencies—

(A) to work to improve the reporting of hate crimes; and

(B) to emphasize the importance of the agencies' collection and reporting of data pursuant to Federal law;

(6) encourages the development of an inter-agency task force led by the Attorney General to collaborate on the development of effective strategies and efforts to detect and deter hate crime in order to protect minority communities; and

(7) calls on the executive branch—

(A) to continue to offer Federal assistance that may be available for victims of hate crimes; and

(B) to continue to carry out safety and preparedness programs for religious institutions, places of worship, and other institutions that have been targeted because of the affiliation of the institutions with any particular religious, racial, or ethnic minority in the United States.

**AUTHORITY FOR COMMITTEES TO  
MEET**

Mr. BOOZMAN. Mr. President, I have 7 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

**COMMITTEE ON ARMED SERVICES**

The Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, April 5, 2017, at 2:30 p.m.

**COMMITTEE ON COMMERCE, SCIENCE, AND  
TRANSPORTATION**

The Committee on Commerce, Science, and Transportation is authorized to hold an Executive Session during the session of the Senate on Wednesday, April 5, 2017, at 10 a.m., in room 216 of the Hart Senate Office Building.

**COMMITTEE ON ENVIRONMENT AND PUBLIC  
WORKS**

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on April 5, 2017, at 10 a.m., in room 406 of the Dirksen Senate Office Building.

**COMMITTEE ON HEALTH, EDUCATION, LABOR,  
AND PENSIONS**

The Committee on Health, Education, Labor, and Pensions is authorized to meet, during the session of the Senate, in order to conduct a hearing entitled "Nomination of Scott Gottlieb, MD, to serve as Commissioner of Food and Drugs" on Wednesday, April 5, 2017, at 10 a.m., in room 430 of the Dirksen Senate Office Building.

**COMMITTEE ON HOMELAND SECURITY AND  
GOVERNMENTAL AFFAIRS**

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, April 5, 2017, at 9:30 a.m., in order to conduct a hearing entitled "Improving Border Security and Public Health."

**SUBCOMMITTEE ON ECONOMIC POLICY**

The Committee on Banking, Housing and Urban Affairs Subcommittee on Economic Policy is authorized to meet during the session of the Senate on Wednesday, April 5, 2017 at 3 p.m. to conduct a hearing entitled "The Current State of Retirement Security in the United States."

**SUBCOMMITTEE ON AFRICA AND GLOBAL HEALTH**

The Committee on Foreign Relations Subcommittee on Africa and Global Health Policy is authorized to meet during the session of the Senate on Wednesday, April 5, 2017, at 2 p.m., to hold a hearing entitled "A Progress Report on Conflict Minerals."

**MEASURES READ THE FIRST  
TIME—S. 861 AND H.R. 1301**

Mr. GARDNER. Mr. President, I understand there are two bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time en bloc.

The legislative clerk read as follows:

A bill (S. 861) to provide for the compensation of Federal employees affected by lapses in appropriations.

A bill (H.R. 1301) making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes.

Mr. GARDNER. I now ask for a second reading, and I object to my own request, all en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will receive their second reading on the next legislative day.

**CONDEMNING HATE CRIME AND  
ANY OTHER FORM OF RACISM,  
RELIGIOUS OR ETHNIC BIAS, DIS-  
CRIMINATION, INCITEMENT TO  
VIOLENCE, OR ANIMUS TAR-  
GETING A MINORITY IN THE  
UNITED STATES**

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 118, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 118) condemning hate crime and any other form of racism, religious or ethnic bias, discrimination, incitement to violence, or animus targeting a minority in the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. GARDNER. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 118) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### ORDERS FOR THURSDAY, APRIL 6, 2017

Mr. GARDNER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until 10 a.m., Thursday, April 6; further, that following the prayer and pledge, the time for the two leaders be reserved for their use later in the day; further, that following leader remarks, the time until the cloture vote on the Gorsuch nomination be equally divided between Senators GRASSLEY and FEINSTEIN or their designees; finally, that the mandatory quorum call with respect to the cloture vote be waived.

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

#### EXECUTIVE SESSION

##### EXECUTIVE CALENDAR—Continued

Mr. GARDNER. Mr. President, I ask unanimous consent that the Senate resume executive session to consider the nomination of Neil Gorsuch.

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

##### ORDER FOR RECESS

Mr. GARDNER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand in recess under the previous order, following the remarks of Senator CANTWELL for 10 minutes, Senator FRANKEN for 30 minutes, Senator MURPHY for 30 minutes, and Senator HIRONO for 30 minutes.

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

Mr. GARDNER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Ms. CANTWELL. Mr. President, I rise to oppose the nomination of Neil Gorsuch and to oppose cloture on this nomination.

I take seriously the responsibility to give advice and consent, and I take seriously the President's remarks that he planned on nominating someone to the Court who would overturn *Roe v. Wade*.

A U.S. Supreme Court nominee requires 60 votes, and if a nominee can't clear 60 votes, then I agree with my colleague, the Senator from New York, that it is the nominee who should be changed and not the Senate rules.

If confirmed, Judge Gorsuch will have a lifetime appointment to the U.S. Supreme Court and have an impact on many, many Americans' lives. When people say lifetime, I think that doesn't quite accurately reflect this issue and nomination. Lifetime, in this case, may mean 30 to 35 years.

It is hard for me in an information age to think of all the issues that are going to occur in the next 30 to 35 years and what issues this nominee might rule on. But I know this: Right now, privacy rights and how they affect the lives of many Americans are critical, not just to my constituents but to people all over the country.

Judge Gorsuch is commonly referred to as a proponent of originalism and textualism. He believes the U.S. Constitution should be interpreted by the original intentions of those who drafted it as closely as possible. As someone who knows well the record of the former Supreme Court Justice who wrote the *Griswold v. Connecticut* decision, I doubt that one would say that he was an originalist.

Some legal scholars have even called Judge Gorsuch a selective originalist, favoring some textual provisions while overlooking others. And while no one expects Judge Gorsuch to reveal how he would vote on a particular case. During his Senate confirmation hearing, he did not give Senators enough background about his judicial philosophy. In our private meeting, he did not give me enough of an assurance of his philosophy as it relates to these issues on privacy for my constituents in Washington.

Whether we are talking about access to healthcare or we are protecting individuals' privacy rights from unwanted corporation or government intervention, these issues are critically important. Judge Gorsuch told the Senate Judiciary Committee that he does recognize privacy rights. However, his earlier writings on unenumerated constitutional rights contradict this statement. This contradiction raised questions with me, and I worked to try to further clarify his judicial philosophy on this issue.

I told him that my State had actually codified the rights of women to have access to reproductive healthcare.

He said: Oh, you mean your State legislature did that.

And I said: No, Judge Gorsuch, I mean the people of Washington voted on these issues and voted to protect a woman's right to access to reproductive healthcare.

When it comes to the right to privacy, I work hard to understand where our judiciary is coming from, and if it is for the next 30 to 35 years, I guarantee you these privacy rights are going to be of critical importance.

In the longstanding precedent known as the *Chevron* doctrine, judges should defer to reasonable agency interpretations of ambiguous statutory language. It allows agencies to get expert input on their decisions and regulations. By overturning this doctrine, it could make it easier for courts to challenge important agency decisions protecting health and the environment. This issue is also important to my State. We fought the *Enron* case to make sure that the Federal energy regulators did their job in protecting the ratepayers of Washington from, at the time, what was, in my opinion, a violation of the Federal Power Act on just and reasonable rates. We had to go to a great extent to make sure that the agencies' decisions were carefully considered to make sure we didn't become the deep pockets.

Making sure that this doctrine is continued and not overturned is important. I find it troubling that Judge Gorsuch concluded that this precedent from *Chevron v. the Natural Resources Defense Council* should be overturned.

Also, yesterday was Equal Pay Day, and there was a lot of discussion about how women still face unequal wages. What would Judge Gorsuch do about equal pay?

As a professor, he told his students that women manipulate family leave policies for their own benefits. As a judge, he frequently ruled against women and their rights. In *Hobby Lobby v. Sebelius*, a privately held company, which was a store chain, challenged the Affordable Care Act's birth control benefit. The Affordable Care Act required health insurance plans to provide women with birth control coverage with no cost sharing.

Judge Gorsuch joined the Tenth Circuit majority, holding that an employer's religious beliefs could override an employee's right to birth control coverage. Judge Gorsuch also supported an effort to defund Planned Parenthood, an important provider of women's health services. In *Planned Parenthood Association of Utah v. Herbert*, the Tenth Circuit upheld an injunction to prevent the Governor of Utah from defunding Planned Parenthood. However, Judge Gorsuch dissented and pushed for a rehearing of this case by the full court.

Judge Gorsuch has had a narrow interpretation of the laws meant to protect workers against discrimination. In another case, a worker alleged that she had been unlawfully discriminated against based on gender because she took 2 weeks of leave under the Family