

1994 (42 U.S.C. 14132(b)(2)) is amended to read as follows:

“(2) prepared by—
“(A) laboratories that—
“(i) have been accredited by a nonprofit professional association of persons actively involved in forensic science that is nationally recognized within the forensic science community; and
“(ii) undergo external audits, not less than once every 2 years, that demonstrate compliance with standards established by the Director of the Federal Bureau of Investigation; or
“(B) criminal justice agencies using Rapid DNA instruments approved by the Director of the Federal Bureau of Investigation in compliance with the standards and procedures issued by the Director under section 210303(a)(5); and”.

“(i) have been accredited by a nonprofit professional association of persons actively involved in forensic science that is nationally recognized within the forensic science community; and
“(ii) undergo external audits, not less than once every 2 years, that demonstrate compliance with standards established by the Director of the Federal Bureau of Investigation; or
“(B) criminal justice agencies using Rapid DNA instruments approved by the Director of the Federal Bureau of Investigation in compliance with the standards and procedures issued by the Director under section 210303(a)(5); and”.

SEC. 3. CONFORMING AMENDMENTS RELATING TO COLLECTION OF DNA IDENTIFICATION INFORMATION.

(a) FROM CERTAIN FEDERAL OFFENDERS.—Section 3 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135a) is amended—

(1) in subsection (b), by adding at the end the following: “The Director of the Federal Bureau of Investigation may waive the requirements under this subsection if DNA samples are analyzed by means of Rapid DNA instruments and the results are included in CODIS.”; and
(2) in subsection (c), by adding at the end the following:

“(3) The term ‘Rapid DNA instruments’ means instrumentation that carries out a fully automated process to derive a DNA analysis from a DNA sample.”.

(b) FROM CERTAIN DISTRICT OF COLUMBIA OFFENDERS.—Section 4 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135b) is amended—

(1) in subsection (b), by adding at the end the following: “The Director of the Federal Bureau of Investigation may waive the requirements under this subsection if DNA samples are analyzed by means of Rapid DNA instruments and the results are included in CODIS.”; and
(2) in subsection (c), by adding at the end the following:

“(3) The term ‘Rapid DNA instruments’ means instrumentation that carries out a fully automated process to derive a DNA analysis from a DNA sample.”.

AMERICAN LAW ENFORCEMENT HEROES ACT OF 2017

Mr. ALEXANDER. Mr. President, as in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 75, S. 583.

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

The senior assistant legislative clerk read as follows:

A bill (S. 583) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize COPS grantees to use grant funds to hire veterans as career law enforcement officers, and for other purposes.

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

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 583) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:
S. 583

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 Law Enforcement Heroes Act of 2017”.

SEC. 2. PRIORITIZING HIRING AND TRAINING OF VETERANS.

Section 1701(b)(2) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd(b)(2)) is amended by inserting “, including by prioritizing the hiring and training of veterans (as defined in section 101 of title 38, United States Code)” after “Nation”.

LAW ENFORCEMENT MENTAL HEALTH AND WELLNESS ACT OF 2017

Mr. ALEXANDER. Mr. President, as in legislative session, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 867 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 867) to provide support for law enforcement agency efforts to protect the mental health and well-being of law enforcement officers, and for other purposes.

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

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 867) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:
S. 867

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 “Law Enforcement Mental Health and Wellness Act of 2017”.

SEC. 2. SUPPORT FOR LAW ENFORCEMENT AGENCIES.

(a) INTERAGENCY COLLABORATION.—The Attorney General shall consult with the Secretary of Defense and the Secretary of Veterans Affairs to submit to Congress a report, which shall be made publicly available, on Department of Defense and Department of Veterans Affairs mental health practices and services that could be adopted by Federal, State, local, or tribal law enforcement agencies.

(b) CASE STUDIES.—The Director of the Office of Community Oriented Policing Services shall submit to Congress a report—

(1) that is similar to the report entitled “Health, Safety, and Wellness Program Case Studies in Law Enforcement” published by the Office of Community Oriented Policing Services in 2015; and

(2) that focuses on case studies of programs designed primarily to address officer psychological health and well-being.

(c) PEER MENTORING PILOT PROGRAM.—Section 1701(b) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd(b)) is amended—

(1) in paragraph (21), by striking “; and” and inserting a semicolon;

(2) in paragraph (22), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(23) to establish peer mentoring mental health and wellness pilot programs within State, tribal, and local law enforcement agencies.”.

SEC. 3. SUPPORT FOR MENTAL HEALTH PROVIDERS.

The Attorney General, in coordination with the Secretary of Health and Human Services, shall develop resources to educate mental health providers about the culture of Federal, State, tribal, and local law enforcement agencies and evidence-based therapies for mental health issues common to Federal, State, local, and tribal law enforcement officers.

SEC. 4. SUPPORT FOR OFFICERS.

The Attorney General shall—

(1) in consultation with Federal, State, local, and tribal law enforcement agencies—

(A) identify and review the effectiveness of any existing crisis hotlines for law enforcement officers;

(B) provide recommendations to Congress on whether Federal support for existing crisis hotlines or the creation of an alternative hotline would improve the effectiveness or use of the hotline; and

(C) conduct research into the efficacy of an annual mental health check for law enforcement officers;

(2) in consultation with the Secretary of Homeland Security and the head of other Federal agencies that employ law enforcement officers, examine the mental health and wellness needs of Federal law enforcement officers, including the efficacy of expanding peer mentoring programs for law enforcement officers at each Federal agency; and

(3) ensure that any recommendations, resources, or programs provided under this Act protect the privacy of participating law enforcement officers.

GRANTING THE CONSENT AND APPROVAL OF CONGRESS TO THE COMMONWEALTH OF VIRGINIA, THE STATE OF MARYLAND, AND THE DISTRICT OF COLUMBIA TO ENTER INTO A COMPACT

Mr. ALEXANDER. Mr. President, as in legislative session, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S.J. Res. 22 and the Senate proceed to its immediate consideration.

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

The clerk will report the joint resolution by title.

The senior assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 22) granting the consent and approval of Congress to the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to enter into a compact relating to the establishment of the Washington Metrorail Safety Commission.

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

Mr. ALEXANDER. I further ask unanimous consent that the joint resolution be considered read a third time and passed, 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 joint resolution (S.J. Res. 22) was ordered to be engrossed for a third reading, was read the third time, and passed.

The preamble was agreed to.

The joint resolution, with its preamble, reads as follows:

S.J. RES. 22

Whereas the Washington Metropolitan Area Transit Authority, an interstate compact agency of the District of Columbia, the Commonwealth of Virginia, and the State of Maryland, provides transportation services to millions of people each year, the safety of whom is paramount;

Whereas an effective and safe Washington Metropolitan Area Transit Authority system is essential to the commerce and prosperity of the National Capital region;

Whereas the Tri-State Oversight Committee, created by a memorandum of understanding amongst these 3 jurisdictions, has provided safety oversight of the Washington Metropolitan Area Transit Authority;

Whereas section 5329 of title 49, United States Code, requires the creation of a legally and financially independent State authority for safety oversight of all fixed rail transit facilities;

Whereas the District of Columbia, the Commonwealth of Virginia, and the State of Maryland intend to create a Washington Metrorail Safety Commission to act as the State safety oversight authority for the Washington Metropolitan Area Transit Authority system under section 5329 of title 49, United States Code; and

Whereas this compact is created for the benefit of the people of the District of Columbia, the Commonwealth of Virginia, and the State of Maryland and for the increase of their safety, commerce, and prosperity: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent and approval of Congress is hereby given to the District of Columbia, the Commonwealth of Virginia, and the State of Maryland to enter into a compact, substantially as follows, for the safety oversight of the Washington Metropolitan Area Transit Authority system, which compact, known as the Metrorail Safety Commission Interstate Compact, has been negotiated by representatives of the District of Columbia, the Commonwealth of Virginia, and the State of Maryland:

“ARTICLE I

“DEFINITIONS

“1. As used in this MSC Compact, the following words and terms shall have the meanings set forth below, unless the context clearly requires a different meaning. Capitalized terms used herein, but not otherwise defined in this MSC Compact, shall have the definitions set forth in regulations issued under section 5329 of title 49, United States Code, as they may be revised from time to time.

“(a) ‘Alternate Member’ means an alternate member of the Board;

“(b) ‘Board’ means the board of directors of the Commission;

“(c) ‘Commission’ means the Washington Metrorail Safety Commission;

“(d) ‘Member’ means a member of the Board;

“(e) ‘MSC Compact’ means this Washington Metrorail Safety Commission Interstate Compact;

“(f) ‘Public Transportation Agency Safety Plan’ means the comprehensive agency safety plan for a rail transit agency required by section 5329 of title 49, United States Code, and the regulations issued thereunder, as may be amended or revised from time to time;

“(g) ‘Public Transportation Safety Certification Training Program’ means the Federal certification training program, as established and amended from time to time by applicable Federal laws and regulations, for Federal and State employees, or other designated personnel, who conduct safety audits and examinations of public transportation systems, and employees of public transportation agencies directly responsible for safety oversight;

“(h) ‘Safety Sensitive Position’ means any position held by a WMATA employee or contractor designated in the Public Transportation Agency Safety Plan for the WMATA Rail System and approved by the Commission as directly or indirectly affecting the safety of the passengers or employees of the WMATA Rail System;

“(i) ‘Signatory’ means the State of Maryland, the Commonwealth of Virginia, and the District of Columbia;

“(j) ‘State’ or ‘jurisdiction’ means the District of Columbia, the State of Maryland, or the Commonwealth of Virginia;

“(k) ‘Washington Metropolitan Area Transit Authority’ or ‘WMATA’ is the entity created by the WMATA Compact, which entity is responsible for providing certain rail fixed guideway public transportation system services;

“(l) ‘WMATA Compact’ means the Washington Metropolitan Area Transit Authority Compact (Public Law 89-774; 80 Stat. 1324); and

“(m) ‘WMATA Rail System’ or ‘Metrorail’ means the rail fixed guideway public transportation system and all other real and personal property owned, leased, operated, or otherwise used by WMATA rail services and shall include WMATA rail projects under design or construction by owners other than WMATA.

“ARTICLE II

“PURPOSE AND FUNCTIONS

“2. The Signatories to the WMATA Compact hereby adopt this MSC Compact pursuant to section 5329 of title 49, United States Code. The Commission created hereunder shall have safety regulatory and enforcement authority over the WMATA Rail System and shall act as the State safety oversight authority for WMATA under section 5329 of title 49, United States Code, as may be amended from time to time. WMATA shall be subject to the Commission’s rules, regulations, actions, and orders.

“3. The purpose of this MSC Compact is to create a State safety oversight authority for the WMATA Rail System, pursuant to the mandate of Federal law, as a common agency of each Signatory, empowered in the manner hereinafter set forth to review, approve, oversee, and enforce the safety of the WMATA Rail System, including, without limitation, to—

“(a) have exclusive safety oversight authority and responsibility over the WMATA Rail System pursuant to Federal law, including, without limitation, the power to restrict, suspend, or prohibit rail service on all or part of the WMATA Rail System as set forth in this MSC Compact;

“(b) develop and adopt a written State safety oversight program standard;

“(c) review and approve the WMATA Public Transportation Agency Safety Plan;

“(d) investigate hazards, incidents, and accidents on the WMATA Rail System;

“(e) require, review, approve, oversee, and enforce Corrective Action Plans developed by WMATA; and

“(f) meet other requirements of Federal and State law relating to safety oversight of the WMATA Rail System.

“ARTICLE III

“ESTABLISHMENT AND ORGANIZATION

“A. Washington Metrorail Safety Commission

“4. The Commission is hereby created as an instrumentality of each Signatory, which shall be a public body corporate and politic, and which shall have the powers and duties set forth in this MSC Compact.

“5. The Commission shall be financially and legally independent from WMATA.

“B. Board Membership

“6. The Commission shall be governed by a Board of 6 Members with 2 Members appointed or reappointed (including to fill an unexpired term) by each Signatory pursuant to the Signatory’s applicable laws.

“7. Each Signatory shall also appoint or reappoint (including to fill an unexpired term) one Alternate Member pursuant to the Signatory’s applicable laws.

“8. An Alternate Member shall participate and take action as a Member only in the absence of one or both Members appointed from the same jurisdiction as the Alternate Member’s appointing jurisdiction and, in such instances, may cast a single vote.

“9. Members and Alternate Members shall have backgrounds in transit safety, transportation, relevant engineering disciplines, or public finance.

“10. No Member or Alternate Member shall simultaneously hold an elected public office, serve on the WMATA board of directors, be employed by WMATA, or be a contractor to WMATA.

“11. Each Member and Alternate Member shall serve a 4-year term and may be reappointed for additional terms, except that each Signatory shall make its initial appointments as follows:

“(a) One Member shall be appointed for a 4-year term.

“(b) One Member shall be appointed for a 2-year term.

“(c) The Alternate Member shall be appointed for a 3-year term.

“12. Any person appointed to fill a vacancy shall serve for the unexpired term.

“13. Members and Alternate Members shall be entitled to reimbursement for reasonable and necessary expenses and shall be compensated for each day spent meeting on the business of the Commission at a rate of \$200 per day or at such other rate as may be adjusted in appropriations approved by all of the Signatories.

“14. A Member or an Alternate Member may be removed or suspended from office only for cause in accordance with the laws of such Member’s or Alternate Member’s appointing jurisdiction.

“C. Quorum and Actions of the Board.

“15. Four Members shall constitute a quorum, and the affirmative vote of 4 Members is required for action of the Board. Quorum and voting requirements under this section may be met with one or more Alternate Members pursuant to section 8.

“16. The Commission action shall become effective upon enactment unless otherwise provided for by the Commission.

“D. Oath of Office

“17. Before entering office, each Member and Alternate Member shall take and subscribe to the following oath (or affirmation) of office or any such other oath or affirmation as the constitution or laws of the Signatory he or she represents shall provide:

"I, _____, hereby solemnly swear (or affirm) that I will support and defend the Constitution and the laws of the United States as a Member (or Alternate Member) of the Board of the Washington Metrorail Safety Commission and will faithfully discharge the duties of the office upon which I am about to enter.

"E. Organization and Procedure

"18. The Board shall provide for its own organization and procedure. Meetings of the Board shall be held as frequently as the Board determines, but in no event less than quarterly. The Board shall keep minutes of its meetings and establish rules and regulations governing its transactions and internal affairs, including, without limitation, policies regarding records retention that are not in conflict with applicable Federal record retention laws.

"19. The Commission shall keep commercially reasonable records of its financial transactions in accordance with accounting principles generally accepted in the United States of America.

"20. The Commission shall establish an office for the conduct of its affairs at a location to be determined by the Commission.

"21. The Commission shall adopt subsections (a) through (d) and subsection (g) of section 552 of title 5, United States Code (commonly known as the 'Freedom of Information Act') and section 552b of title 5, United States Code (commonly known as the 'Government in Sunshine Act'), as both may be amended from time to time, as its freedom of information policy and open meeting policy, respectively, and shall not be subject to the comparable laws or policies of any Signatory.

"22. Reports of investigations or inquiries adopted by the Board shall be made publicly available.

"23. The Commission shall adopt a policy on conflict of interest that shall be consistent with the regulations issued under section 5329 of title 49, United States Code, as they may be revised from time to time, which, among other things, places appropriate separation between Members, officers, employees, contractors, and agents of the Commission and WMATA.

"24. The Commission shall adopt and utilize its own administrative procedure and procurement policies in conformance with applicable Federal regulations and shall not be subject to the administrative procedure or procurement laws of any Signatory.

"F. Officers and Employees

"25. The Board shall elect a Chairman, Vice Chairman, Secretary, and Treasurer from among its Members, each for a 2-year term and shall prescribe their powers and duties.

"26. The Board shall appoint and fix the compensation and benefits of a chief executive officer who shall be the chief administrative officer of the Commission and who shall have expertise in transportation safety and one or more industry-recognized transportation safety certifications.

"27. Consistent with section 5329 of title 49, United States Code, as may be amended from time to time, the Commission may employ, under the direction of the chief executive officer, such other technical, legal, clerical, and other employees on a regular, part-time, or as-needed basis as it determines necessary or desirable for the discharge of its duties.

"28. The Commission shall not be bound by any statute or regulation of any Signatory in the employment or discharge of any officer or employee of the Commission, but shall develop its own policies in compliance with Federal law. The MSC shall, however, consider the laws of the Signatories in devising its employment and discharge policies, and when it deems it practical, devise policies consistent with the laws of the Signatories.

"29. The Board may fix and provide policies for the qualification, appointment, removal, term, tenure, compensation benefits, worker's compensation, pension, and retirement rights of its employees subject to Federal law. The Board may also establish a personnel system based on merit and fitness and, subject to eligibility, participate in the pension, retirement, and worker's compensation plans of any Signatory or agency or political subdivision thereof.

"ARTICLE IV

"POWERS

"A. Safety Oversight Power.

"30. In carrying out its purposes, the Commission, through its Board or designated employees or agents, shall, consistent with Federal law—

"(a) adopt, revise, and distribute a written State Safety Oversight Program;

"(b) review, approve, oversee, and enforce the adoption and implementation of WMATA's Public Transportation Agency Safety Plan;

"(c) require, review, approve, oversee, and enforce the adoption and implementation of any Corrective Action Plans that the Commission deems appropriate;

"(d) implement and enforce relevant Federal and State laws and regulations relating to safety of the WMATA Rail System; and

"(e) audit every 3 years the compliance of WMATA with WMATA's Public Transportation Agency Safety Plan or conduct such an audit on an ongoing basis over a 3-year time frame.

"31. In performing its duties, the Commission, through its Board or designated employees or agents, may do the following:

"(a) Conduct, or cause to be conducted, inspections, investigations, examinations, and testing of WMATA personnel and contractors, property, equipment, facilities, rolling stock, and operations of the WMATA Rail System, including, without limitation, electronic information and databases through reasonable means, which may include issuance of subpoenas.

"(b) Enter upon the WMATA Rail System and, upon reasonable notice and a finding by the chief executive officer that a need exists, upon any lands, waters, and premises adjacent to the WMATA Rail System, including, without limitation, property owned or occupied by the Federal Government, for the purpose of making inspections, investigations, examinations, and testing as the Commission may deem necessary to carry out the purposes of this MSC Compact, and such entry shall not be deemed a trespass. The Commission shall make reasonable reimbursement for any actual damage resulting to any such adjacent lands, waters, and premises as a result of such activities.

"(c) Compel WMATA's compliance with any Corrective Action Plan or order of the Commission by such means as the Commission deems appropriate, including, without limitation, by—

"(1) taking legal action in a court of competent jurisdiction;

"(2) issuing citations or fines with funds going into an escrow account for spending by WMATA on Commission-directed safety measures;

"(3) directing WMATA to prioritize spending on safety-critical items;

"(4) removing a specific vehicle, infrastructure element, or hazard from the WMATA Rail System; and

"(5) compelling WMATA to restrict, suspend, or prohibit rail service on all or part of the WMATA Rail System with an appropriate notice period dictated by the circumstances.

"(d) Direct WMATA to suspend or disqualify from performing in any Safety Sen-

sitive Position an individual who is alleged to or has violated safety rules, regulations, policies, or laws.

"(e) Compel WMATA's Office of the Inspector General, created under WMATA Board Resolution 2006-18, or any successor WMATA office or organization having similar duties, to conduct safety-related audits or investigations and to provide its findings to the Commission.

"(f) Take such other actions as the Commission may deem appropriate consistent with its purpose and powers.

"32. Action by the Board under section 31(c)(5) shall require the unanimous vote of all Members present and voting. The Commission shall coordinate its enforcement activities with appropriate Federal and State governmental authorities.

"B. General Powers

"33. In addition to the powers and duties set forth above, the Commission may—

"(a) sue and be sued;

"(b) adopt, amend, and repeal rules and regulations respecting the exercise of the powers conferred by this MSC Compact;

"(c) create and abolish offices, employments, and positions (other than those specifically provided for in this MSC Compact) necessary or desirable for the purposes of the Commission;

"(d) determine a staffing level for the Commission that is commensurate with the size and complexity of the WMATA Rail System, and require that employees and other designated personnel of the Commission, who are responsible for safety oversight, be qualified to perform such functions through appropriate training, including, without limitation, successful completion of the Public Transportation Safety Certification Training Program;

"(e) contract for or employ consulting attorneys, inspectors, engineers, and such other experts necessary or desirable and, within the limitations prescribed in this MSC Compact, prescribe their powers and duties and fix their compensation;

"(f) enter into and perform contracts, leases, and agreements necessary or desirable in the performance of its duties and in the execution of the powers granted under this MSC Compact;

"(g) apply for, receive, and accept such payments, appropriations, grants, gifts, loans, advances, and other funds, properties, and services as may be transferred or made available to it by the United States government or any other public or private entity or individual, subject to the limitations specified in section 42;

"(h) adopt an official seal and alter the same at its pleasure;

"(i) adopt and amend by-laws, policies, and procedures governing the regulation of its affairs;

"(j) appoint one or more advisory committees; and

"(k) do such other acts necessary or desirable for the performance of its duties and the execution of its powers under this MSC Compact.

"34. Consistent with this MSC Compact, the Commission shall promulgate rules and regulations to carry out the purposes of this MSC Compact.

"ARTICLE V

"GENERAL PROVISIONS

"A. Annual Safety Report

"35. The Commission shall make and publish annually a status report on the safety of the WMATA Rail System, which shall include, among other requirements established by the Commission and Federal law, status updates of outstanding Corrective Action Plans, Commission directives, and on-going investigations. A copy of each such report shall be provided to—

“(a) the Administrator of the Federal Transit Administration;

“(b) the Governor of Virginia, the Governor of Maryland, and the Mayor of the District of Columbia;

“(c) the Chairman of the Council of the District of Columbia;

“(d) the President of the Maryland Senate and the Speaker of the Maryland House of Delegates;

“(e) the President of the Virginia Senate and the Speaker of the Virginia House of Delegates; and

“(f) the General Manager and each member of the board of directors of WMATA.

“36. The Commission may prepare, publish, and distribute such other safety reports that it deems necessary or desirable.

“B. Annual Report of Operations

“37. The Commission shall make and publish an annual report on its programs, operations, and finances, which shall be distributed in the same manner provided by section 35.

“38. The Commission may also prepare, publish, and distribute such other public reports and informational materials as it deems necessary or desirable.

“C. Annual Independent Audit

“39. An independent annual audit shall be made of the financial accounts of the Commission. The audit shall be made by qualified certified public accountants selected by the Board, who shall have no personal interest, direct or indirect, in the financial affairs of the Commission or any of its officers or employees. The report of audit shall be prepared in accordance with generally accepted auditing principles and shall be distributed in the same manner provided by section 35. Members, employees, agents, and contractors of the Commission shall provide access to information necessary or desirable for the conduct of the annual audit.

“D. Financing

“40. The Commission's operations shall be funded, independently of WMATA, by the Signatory jurisdictions and, when available, by Federal funds. The Commission shall have no authority to levy taxes.

“41. The Signatories shall unanimously agree on adequate funding levels for the Commission and make equal contributions of such funding, subject to annual appropriation, to cover the portion of Commission operations not funded by Federal funds.

“42. The Commission may borrow up to 5 percent of its last annual appropriations budget in anticipation of receipts, or as otherwise set forth in the appropriations budget approved by all of the Signatories, from any lawful lending institution for any purpose of this MSC Compact, including, without limitation, for administrative expenses. Such loans shall be for a term not to exceed 2 years, or at such longer term approved by each Signatory pursuant to its laws as evidenced by the written authorization by the Mayor of the District of Columbia and the Governors of Maryland and Virginia, and at such rates of interest as shall be acceptable to the Commission.

“43. With respect to the District of Columbia, the commitment or obligation to render financial assistance to the Commission shall be created, by appropriation or in such other manner, or by such other legislation, as the District of Columbia shall determine; provided, that any such commitment or obligation shall be approved by Congress pursuant to the District of Columbia Home Rule Act (Public Law 93-198; 87 Stat. 774).

“44. Pursuant to the requirements of sections 1341, 1342, 1349, 1350, 1351, 1511, and 1519 of title 31, United States Code, and sections 47-105 and 47-355.01 to 355.08 of the D.C. Official Code (collectively referred to in this section as the ‘Anti-Deficiency Acts’), the Dis-

trict of Columbia cannot obligate itself to any financial commitment in any present or future year unless the necessary funds to pay that commitment have been appropriated and are lawfully available for the purpose committed. Thus, pursuant to the Anti-Deficiency Acts, nothing in the MSC Compact creates an obligation of the District of Columbia in anticipation of an appropriation for such purpose, and the District of Columbia's legal liability for the payment of any amount under this MSC Compact does not and may not arise or obtain in advance of the lawful availability of appropriated funds for the applicable fiscal year.

“E. Tax Exemption

“45. The exercise of the powers granted by this MSC Compact shall in all respects be for the benefit of the people of the District of Columbia, the Commonwealth of Virginia, and the State of Maryland and for the increase of their safety, commerce, and prosperity, and as the activities associated with this MSC Compact shall constitute the performance of essential governmental functions, the Commission shall not be required to pay any taxes or assessments upon the services or any property acquired or used by the Commission under the provisions of this MSC Compact or upon the income therefrom, and shall at all times be free from taxation within the District of Columbia, the Commonwealth of Virginia, and the State of Maryland.

“F. Reconsideration of Commission Orders

“46. WMATA shall have the right to petition the Commission for reconsideration of an order based on rules and procedures developed by the Commission.

“47. Consistent with section 16, the filing of a petition for reconsideration shall not act as a stay upon the execution of a Commission order, or any part of it, unless the Commission orders otherwise. WMATA may appeal any adverse action on a petition for reconsideration as set forth in section 48.

“G. Judicial Matters

“48. The United States District Court for the Eastern District of Virginia, Alexandria Division, the United States District Court for the District of Maryland, Southern Division, and the United States District Court for the District of Columbia shall have exclusive and original jurisdiction of all actions brought by or against the Commission and to enforce subpoenas under this MSC Compact.

“49. The commencement of a judicial proceeding shall not operate as a stay of a Commission order unless specifically ordered by the court.

“H. Liability and Indemnification

“50. The Commission and its Members, Alternate Members, officers, agents, employees, or representatives shall not be liable for suit or action or for any judgment or decree for damages, loss, or injury resulting from action taken within the scope of their employment or duties under this MSC Compact, nor required in any case arising or any appeal taken under this MSC Compact to give a supersedeas bond or security for damages. Nothing in this section shall be construed to protect such person from suit or liability for damage, loss, injury, or liability caused by the intentional or willful and wanton misconduct of such person.

“51. The Commission shall be liable for its contracts and for its torts and those of its Members, Alternate Members, officers, agents, employees, and representatives committed in the conduct of any proprietary function, in accordance with the law of the applicable Signatory (including, without limitation, rules on conflict of laws) but shall not be liable for any torts occurring in the performance of a governmental function. The exclusive remedy for such breach of con-

tract or tort for which the Commission shall be liable, as herein provided, shall be by suit against the Commission. Nothing contained in this MSC Compact shall be construed as a waiver by the District of Columbia, the Commonwealth of Virginia, or the State of Maryland of any immunity from suit.

“I. Commitment of Parties

“52. Each of the Signatories pledges to each other faithful cooperation in providing safety oversight for the WMATA Rail System, and, to affect such purposes, agrees to consider in good faith and request any necessary legislation to achieve the objectives of this MSC Compact.

“J. Amendments and Supplements

“53. Amendments and supplements to this MSC Compact shall be adopted by legislative action of each of the Signatories and the consent of Congress. When one Signatory adopts an amendment or supplement to an existing section of this MSC Compact, that amendment or supplement shall not be immediately effective, and the previously enacted provision or provisions shall remain in effect in each jurisdiction until the amendment or supplement is approved by the other Signatories and is consented to by Congress.

“K. Withdrawal and Termination

“54. Any Signatory may withdraw from this MSC Compact, which action shall constitute a termination of this MSC Compact.

“55. Withdrawal from this MSC Compact shall be by a Signatory's repeal of this MSC Compact from its laws, but such repeal shall not take effect until 2 years after the effective date of the repealed statute and written notice of the withdrawal being given by the withdrawing Signatory to the governors or mayor, as appropriate, of the other Signatories.

“56. Prior to termination of this MSC Compact, the Commission shall provide each Signatory—

“(a) a mechanism for concluding the operations of the Commission;

“(b) a proposal to maintain State safety oversight of the WMATA Rail System in compliance with applicable Federal law;

“(c) a plan to hold surplus funds in a trust for a successor regulatory entity for 4 years after the termination of this MSC Compact; and

“(d) a plan to return any surplus funds that remain 4 years after the creation of the trust.

“L. Construction and Severability

“57. This MSC Compact shall be liberally construed to effectuate the purposes for which it is created.

“58. If any part or provision of this MSC Compact or the application thereof to any person or circumstances be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this MSC Compact or the application thereof to other persons or circumstances, and the Signatories hereby declare that they would have entered into this MSC Compact or the remainder thereof had the invalidity of such provision or application thereof been apparent.

“M. Adoption; Effective Date

“59. This MSC Compact shall be adopted by the Signatories in the manner provided by law therefor and shall be signed and sealed in 4 duplicate original copies. One such copy shall be filed with the Secretary of State of the State of Maryland, the Secretary of the Commonwealth of Virginia, and the Secretary of the District of Columbia in accordance with the laws of each jurisdiction. One

copy shall be filed and retained in the archives of the Commission upon its organization. This MSC Compact shall become effective upon the enactment of concurring legislation by the District of Columbia, the Commonwealth of Virginia, and the State of Maryland, and consent thereto by Congress and when all other acts or actions have been taken, including, without limitation, the signing and execution of this MSC Compact by the Governors of Maryland and Virginia and the Mayor of the District of Columbia.

“L. Conflict of Laws

“60. Any conflict between any authority granted herein, or the exercise of such authority, and the provisions of the WMATA Compact shall be resolved in favor of the exercise of such authority by the Commission.

“61. All other general or special laws inconsistent with this MSC Compact are hereby declared to be inapplicable to the Commission or its activities.”.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. STRANGE). Without objection, it is so ordered.

EXECUTIVE CALENDAR—Continued

NATIONAL POLICE WEEK

Ms. MURKOWSKI. Mr. President, this week, our Nation observes National Police Week. This year, during National Police Week, we pay tribute to 143 officers who died in the line of duty during 2016—among them, Sergeant Allen David Brandt of the Fairbanks Police Department. I come to the floor to acknowledge not only Sergeant Brandt but all those officers who served us so honorably.

Sergeant Brandt's wife Natasha and children, Fritz, Kate, Claire, and Belle have traveled all the way from Fairbanks to participate in the events this week. They are accompanied by Allen's best friend, Officer Phil McBroom of the North Pole Police Department, as well as a large group of colleagues from the Fairbanks Police Department, led by Chief Eric Jewkes.

Chief Jewkes, joined by Sergeant Lockwood and Officer Werner, came into Washington for Police Week in a somewhat unique way. They joined 2,200 officers from around the Nation in a 4-day charity bike ride from Northern New Jersey to Washington, DC. They call it the Police Unity Tour, and their motto is: “We ride for those who died.”

Police Week begins with the dedication of names added this year to the National Law Enforcement Officers Memorial on Judiciary Square. That dedication occurs during a very, very moving candlelight vigil at the beginning of Police Week. The candlelight vigil was conducted on Saturday evening on the National Mall this year.

Chief Jewkes, in full uniform, read Allen's name before a crowd numbering

10,000 people or more. A bell was rung, acknowledging the loss of Allen David Brandt. Allen's name was the only Alaska name added to the wall this year.

I wish to thank Craig Floyd, who is the president of the National Law Enforcement Officers Memorial Fund, for the courtesy in affording Chief Jewkes this special honor.

Allen's name is now inscribed in perpetuity on the memorial wall among the 21,000 officers who have made the ultimate sacrifice. His name appears on the bottom of Panel 21—East. This week, the shoulder patch of the Fairbanks Police Department is affixed at the top of that panel. Quite coincidentally, a few lines up on that same panel are the names of Officers Matt Tokuoaka and Anthony Wallace of the Hoonah Police Department, who were brought down by an assailant's bullet in 2010.

During Police Week, we do not dwell on the circumstances under which law enforcement officers gave their lives. We rather focus on how they lived their exemplary lives, and, yes, we pay our respects to the fallen, but Police Week also looks forward. The annual survivor's seminar, sponsored by Concerns of Police Survivors, which helps those who have suffered a law enforcement tragedy grieve and ultimately recover, is an important part of this week as well.

While so much of Police Week is for the law enforcement family, those of us in Washington cannot help but notice what is going on around us—officers in uniform, honor guards, motorcycles, police cars from around the country, the entire law enforcement family—Federal, State, local, Tribal, and visiting officers from places like Canada, England, and Israel.

Many visiting officers bring their spouses. Some bring their children. We are able to truly see the faces behind those uniforms and those badges, and we can look into the eyes of the families.

Let me say a few words about the children who have come in for the observance. You see them on the Metro, sitting atop their father's shoulders. Daddy is wearing his dress uniform. At the candlelight vigil, one of my staff members witnessed a U.S. Park Police officer, in uniform, explaining to her young daughter the meaning of the ceremony. You experience the words of the children at the memorial wall itself, where Emma Moody, the 10-year-old daughter of a fallen California officer, left a hand-drawn memorial to her dad, and it reads:

When I get to heaven the first thing I am going to do is find you. The second thing I will do is never ever let you go again.

When you experience things like this, you cannot help but appreciate the humanity behind the uniforms—a father, a mother, an aunt, an uncle, a friend, a colleague, a neighbor. Law enforcement is no stranger to controversy. Yet it is so important that we see be-

yond controversy; that when we look at an officer we see the humanity that runs toward danger and not from it; the humanity that responds to every call for service, not knowing whether it will be the last; the humanity that kisses a child goodbye before beginning a shift, not knowing whether he will ever see those children again; the humanity that was Allen Brandt.

The story I just recited is Allen's story. Allen was released from the hospital after being shot five times by an assailant. He died from complications associated with a second series of surgeries.

Allen lived long enough to appear before the Fairbanks City Council and thank the community for their support. He also offered some very cautionary words. He said:

Our officers do a very hard job, most of the time thankless. Working weekends when their friends are with their families. Working nights and sleeping during the day. We need your support and not just when bad things happen.

A few weeks later, Anchorage Police Officer Arn Salao thought he was responding to a call involving a dispute between a cabdriver and his passenger. When he arrived at the scene, he was ambushed and shot four times. Miraculously, Officer Salao survived his injuries.

In spite of these tragedies, it is dispiriting that people continue to challenge law enforcement. Last week, Colonel James Cockrell, retired after 30 years with the Alaska State Troopers, and just prior to his retirement, reflected on the dangers troopers face. Assaults on Alaska State Troopers are up, from 52 in 2013 to 131 last year.

I wish to share with the Senate a few lines from an interview with KTUU in Anchorage. Colonel Cockrell said:

I think there's generally a little bit less respect for law enforcement. I think a lot of that spurred from the Lower 48. We're having troopers contact people in a one-on-one situation. Individuals are more apt to fight with us if they think they have an advantage, when we don't have backup. We don't have two or three troopers responding to a high risk crime in progress. The consequences are that people are more apt to fight with our Troopers.

All of this is deeply tragic. As I look across the Nation, we are not really seeing any signs of abatement. Some might be attributable to the opioid crisis, some to a loss of respect for law enforcement, and some simply because suspects challenge law enforcement in hopes of evading them.

This year, law enforcement has already suffered 48 line-of-duty deaths, 17 of those from gunfire. This fact is not lost on the officers from Interior Alaska who are in our Nation's Capital this week. It is not lost on those who are considering law enforcement careers but decide to perhaps take a pass, leaving critical vacancies in agencies throughout the country. Law enforcement remains very dangerous work, and for all the satisfaction that comes from serving people in their darkest