

the United States, and for other purposes.

S. 322

At the request of Mr. PETERS, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 322, a bill to protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

S. 374

At the request of Mr. BLUNT, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 374, a bill to enable concrete masonry products manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products.

S. 497

At the request of Ms. CANTWELL, the names of the Senator from California (Ms. HARRIS) and the Senator from Oklahoma (Mr. INHOFE) 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. 537

At the request of Mr. FRANKEN, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 537, a bill to amend title 9 of the United States Code with respect to arbitration.

S. 693

At the request of Ms. BALDWIN, the names of the Senator from Colorado (Mr. BENNET) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 693, a bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, social work schools, and other programs, including physician assistant education programs, to promote education and research in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

S. 925

At the request of Mrs. ERNST, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 925, a bill to amend title 38, United States Code, to improve the ability of health care professionals to treat veterans through the use of telemedicine, and for other purposes.

S. 1169

At the request of Mr. DURBIN, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 1169, a bill to amend title XIX of the Social Security Act to provide States with an option to provide medical assistance to individuals between the

ages of 22 and 64 for inpatient services to treat substance use disorders at certain facilities, and for other purposes.

S. 1361

At the request of Mr. CRAPO, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 1361, a bill to amend title XVIII of the Social Security Act to allow physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive cardiac, and pulmonary rehabilitation programs.

S. 1539

At the request of Ms. KLOBUCHAR, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1539, a bill to protect victims of stalking from gun violence.

S. 1693

At the request of Mr. PORTMAN, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 1693, a bill to amend the Communications Act of 1934 to clarify that section 230 of that Act does not prohibit the enforcement against providers and users of interactive computer services of Federal and State criminal and civil law relating to sex trafficking.

S. 1718

At the request of Mr. KENNEDY, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 1718, a bill to authorize the minting of a coin in honor of the 75th anniversary of the end of World War II, and for other purposes.

S. 1738

At the request of Mr. WARNER, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 1738, a bill to amend title XVIII of the Social Security Act to provide for a home infusion therapy services temporary transitional payment under the Medicare program.

S. 1901

At the request of Mr. GARDNER, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 1901, a bill to require global economic and political pressure to support diplomatic denuclearization of the Korean Peninsula, including through the imposition of sanctions with respect to the Government of the Democratic People's Republic of Korea and any enablers of the activities of that Government, and to reauthorize the North Korean Human Rights Act of 2004, and for other purposes.

S. 2088

At the request of Mrs. FISCHER, the names of the Senator from Massachusetts (Ms. WARREN), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Arkansas (Mr. COTTON), the Senator from Mississippi (Mr. WICKER) and the Senator from South Dakota (Mr. ROUNDS) were added as cosponsors of S. 2088, a bill to amend title 10, United States Code, to provide for the issuance of the Gold Star Installation Access Card to the surviving

spouse, dependent children, and other next of kin of a member of the Armed Forces who dies while serving on certain active or reserve duty, to ensure that a remarried surviving spouse with dependent children of the deceased member remains eligible for installation benefits to which the surviving spouse was previously eligible, and for other purposes.

S. RES. 49

At the request of Ms. COLLINS, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. Res. 49, a resolution declaring that achieving the primary goal of the National Plan to Address Alzheimer's Disease of the Department of Health and Human Services to prevent and effectively treat Alzheimer's disease by 2025 is an urgent national priority.

S. RES. 168

At the request of Mr. CARDIN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. Res. 168, a resolution supporting respect for human rights and encouraging inclusive governance in Ethiopia.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN (for himself, Mr. MURPHY, Mr. SCOTT, Mr. BLUMENTHAL, Mr. HATCH, Mrs. FEINSTEIN, Mr. HELLER, and Mrs. SHAHEEN):

S. 2135. A bill to enforce current law regarding the National Instant Criminal Background Check System; to the Committee on the Judiciary.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the 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. 2135

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 "Fix NICS Act of 2017".

SEC. 2. ACCOUNTABILITY FOR FEDERAL DEPARTMENTS AND AGENCIES.

Section 103 of the Brady Handgun Violence Prevention Act (34 U.S.C. 40901) is amended—

(1) in subsection (e)(1), by adding at the end the following:

“(F) SEMIANNUAL CERTIFICATION AND REPORTING.—

“(i) IN GENERAL.—The head of each Federal department or agency shall submit a semiannual written certification to the Attorney General indicating whether the department or agency is in compliance with the record submission requirements under subparagraph (C).

“(ii) SUBMISSION DATES.—The head of a Federal department or agency shall submit a certification to the Attorney General under clause (i)—

“(I) not later than July 31 of each year, which shall address all relevant records, including those that have not been transmitted to the Attorney General, in possession of the department or agency during the period beginning on January 1 of the year and ending on June 30 of the year; and

“(II) not later than January 31 of each year, which shall address all relevant records, including those that have not been transmitted to the Attorney General, in possession of the department or agency during the period beginning on July 1 of the previous year and ending on December 31 of the previous year.

“(iii) CONTENTS.—A certification required under clause (i) shall state, for the applicable period—

“(I) the total number of records of the Federal department or agency demonstrating that a person falls within one of the categories described in subsection (g) or (n) of section 922 of title 18, United States Code;

“(II) for each category of records described in subclause (I), the total number of records of the Federal department or agency that have been provided to the Attorney General; and

“(III) the efforts of the Federal department or agency to ensure complete and accurate reporting of relevant records, including efforts to monitor compliance and correct any reporting failures or inaccuracies.

“(G) IMPLEMENTATION PLAN.—

“(i) IN GENERAL.—Not later than 1 year after the date of enactment of this subparagraph, the head of each Federal department or agency, in coordination with the Attorney General, shall establish a plan to ensure maximum coordination and automated reporting or making available of records to the Attorney General as required under subparagraph (C), and the verification of the accuracy of those records, including the pre-validation of those records, where appropriate, during a 4-year period specified in the plan. The records shall be limited to those of an individual described in subsection (g) or (n) of section 922 of title 18, United States Code.

“(ii) BENCHMARK REQUIREMENTS.—Each plan established under clause (i) shall include annual benchmarks to enable the Attorney General to assess implementation of the plan, including—

“(I) qualitative goals and quantitative measures;

“(II) measures to monitor internal compliance, including any reporting failures and inaccuracies;

“(III) a needs assessment, including estimated compliance costs; and

“(IV) an estimated date by which the Federal department or agency will fully comply with record submission requirements under subparagraph (C).

“(iii) COMPLIANCE DETERMINATION.—Not later than the end of each fiscal year beginning after the date of the establishment of a plan under clause (i), the Attorney General shall determine whether the applicable Federal department or agency has achieved substantial compliance with the benchmarks included in the plan.

“(H) ACCOUNTABILITY.—The Attorney General shall publish, including on the website of the Department of Justice, and submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives a semiannual report that discloses—

“(i) the name of each Federal department or agency that has failed to submit a required certification under subparagraph (F);

“(ii) the name of each Federal department or agency that has submitted a required certification under subparagraph (F), but failed to certify compliance with the record submission requirements under subparagraph (C);

“(iii) the name of each Federal department or agency that has failed to submit an implementation plan under subparagraph (G);

“(iv) the name of each Federal department or agency that is not in substantial compliance with an implementation plan under subparagraph (G);

“(v) a detailed summary of the data, broken down by department or agency, contained in the certifications submitted under subparagraph (F);

“(vi) a detailed summary of the contents and status, broken down by department or agency, of the implementation plans established under subparagraph (G); and

“(vii) the reasons for which the Attorney General has determined that a Federal department or agency is not in substantial compliance with an implementation plan established under subparagraph (G).

“(I) NONCOMPLIANCE PENALTIES.—For each of fiscal years 2019 through 2022, each political appointee of a Federal department or agency that has failed to certify compliance with the record submission requirements under subparagraph (C), and is not in substantial compliance with an implementation plan established under subparagraph (G), shall not be eligible for the receipt of bonus pay, excluding overtime pay, until the department or agency—

“(i) certifies compliance with the record submission requirements under subparagraph (C); or

“(ii) achieves substantial compliance with an implementation plan established under subparagraph (G).

“(J) TECHNICAL ASSISTANCE.—The Attorney General may use funds made available for the national instant criminal background check system established under subsection (b) to provide technical assistance to a Federal department or agency, at the request of the department or agency, in order to help the department or agency comply with the record submission requirements under subparagraph (C).

“(K) APPLICATION TO FEDERAL COURTS.—For purposes of this paragraph—

“(i) the terms ‘department or agency of the United States’ and ‘Federal department or agency’ include a Federal court; and

“(ii) the Director of the Administrative Office of the United States Courts shall perform, for a Federal court, the functions assigned to the head of a department or agency.”; and

(2) in subsection (g), by adding at the end the following: “For purposes of the preceding sentence, not later than 60 days after the date on which the Attorney General receives such information, the Attorney General shall determine whether or not the prospective transferee is the subject of an erroneous record and remove any records that are determined to be erroneous. In addition to any funds made available under subsection (k), the Attorney General may use such sums as are necessary and otherwise available for the salaries and expenses of the Federal Bureau of Investigation to comply with this subsection.”.

SEC. 3. REAUTHORIZATION OF NICS ACT RECORD IMPROVEMENT PROGRAM.

(a) REQUIREMENTS TO OBTAIN WAIVER.—Section 102 of the NICS Improvement Amendments Act of 2007 (34 U.S.C. 40912) is amended—

(1) in subsection (a), in the first sentence—

(A) by striking “the Crime Identification Technology Act of 1988 (42 U.S.C. 14601)” and inserting “section 102 of the Crime Identification Technology Act of 1998 (34 U.S.C. 40301)”; and

(B) by inserting “is in compliance with an implementation plan established under subsection (b) or” before “provides at least 90 percent of the information described in subsection (c)”; and

(2) in subsection (b)(1)(B), by inserting “or has established an implementation plan

under section 107” after “the Attorney General”.

(b) IMPLEMENTATION ASSISTANCE TO STATES.—Section 103 of the NICS Improvement Amendments Act of 2007 (34 U.S.C. 40913) is amended—

(1) in subsection (b)(3), by inserting before the semicolon at the end the following: “, including through increased efforts to pre-validate the contents of those records to expedite eligibility determinations”;

(2) in subsection (e)—

(A) in paragraph (1)—

(i) by striking “and”; and

(ii) by inserting before the period at the end the following: “, and \$125,000,000 for each of fiscal years 2018 through 2022”; and

(B) by striking paragraph (2) and inserting the following—

“(2) DOMESTIC ABUSE AND VIOLENCE PREVENTION INITIATIVE.—

“(A) ESTABLISHMENT.—For each of fiscal years 2018 through 2022, the Attorney General shall create a priority area under the NICS Act Record Improvement Program (commonly known as ‘NARIP’) for a Domestic Abuse and Violence Prevention Initiative that emphasizes the need for grantees to identify and upload all felony conviction records and domestic violence records.

“(B) FUNDING.—The Attorney General—

“(i) may use not more than 50 percent of the amounts made available under this subsection for each of fiscal years 2018 through 2022 to carry out the initiative described in subparagraph (A); and

“(ii) shall give a funding preference under NARIP to States that—

“(I) have established an implementation plan under section 107; and

“(II) will use amounts made available under this subparagraph to improve efforts to identify and upload all felony conviction records and domestic violence records described in clauses (i), (v), and (vi) of section 102(b)(1)(C) by not later than September 30, 2022.”; and

(3) by adding at the end the following:

“(g) TECHNICAL ASSISTANCE.—The Attorney General shall direct the Office of Justice Programs, the Bureau of Alcohol, Tobacco, Firearms, and Explosives, and the Federal Bureau of Investigation to—

“(1) assist States that are not currently eligible for grants under this section to achieve compliance with all eligibility requirements; and

“(2) provide technical assistance and training services to grantees under this section.”.

SEC. 4. REAUTHORIZATION OF THE NATIONAL CRIMINAL HISTORY IMPROVEMENT PROGRAM.

(a) STATE GRANT PROGRAM FOR CRIMINAL JUSTICE IDENTIFICATION, INFORMATION, AND COMMUNICATION.—Section 102 of the Crime Identification Technology Act of 1998 (34 U.S.C. 40301) is amended—

(1) in subsection (a)(3)—

(A) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (D), (E), and (F), respectively; and

(B) by inserting after subparagraph (B) the following:

“(C) identification of all individuals who have been convicted of a crime punishable by imprisonment for a term exceeding 1 year”;

(2) in subsection (b)(6)—

(A) by striking “(18 U.S.C. 922 note)” and inserting “(34 U.S.C. 40901(b))”; and

(B) by inserting before the semicolon at the end the following: “, including through increased efforts to pre-validate the contents of felony conviction records and domestic violence records to expedite eligibility determinations, and measures and resources necessary to establish and achieve compliance with an implementation plan under section

107 of the NICS Improvement Amendments Act of 2007";

(3) in subsection (d), by inserting after "unless" the following: "the State has achieved compliance with an implementation plan under section 107 of the NICS Improvement Amendments Act of 2007 or"; and

(4) in subsection (e)(1), by striking "2002 through 2007" and inserting "2018 through 2022".

(b) GRANTS FOR THE IMPROVEMENT OF CRIMINAL RECORDS.—Section 106(b)(1) of the Brady Handgun Violence Prevention Act (34 U.S.C. 40302(1)) is amended—

(1) in the matter preceding subparagraph (A)—

(A) by striking "as of the date of enactment of this Act" and inserting ", as of the date of enactment of the Fix NICS Act of 2017,"; and

(B) by striking "files," and inserting the following: "files and that will utilize funding under this subsection to prioritize the identification and transmittal of felony conviction records and domestic violence records,";

(2) in subparagraph (B), by striking "and" at the end;

(3) in subparagraph (C)—

(A) by striking "upon establishment of the national system,"; and

(B) by striking the period at the end and inserting "; and"; and

(4) by adding at the end the following—

"(D) to establish and achieve compliance with an implementation plan under section 107 of the NICS Improvement Amendments Act of 2007.".

SEC. 5. IMPROVING INFORMATION SHARING WITH THE STATES.

(a) IN GENERAL.—Title I of the NICS Improvement Amendments Act of 2007 (34 U.S.C. 40911 et seq.) is amended by adding at the end the following:

"SEC. 107. IMPLEMENTATION PLAN.

"(a) IN GENERAL.—Not later than 1 year after the date of enactment of the Fix NICS Act of 2017, the Attorney General, in coordination with the States and Indian tribal governments, shall establish, for each State or Indian tribal government, a plan to ensure maximum coordination and automation of the reporting or making available of appropriate records to the National Instant Criminal Background Check System established under section 103 of the Brady Handgun Violence Prevention Act (34 U.S.C. 40901) and the verification of the accuracy of those records during a 4-year period specified in the plan. The records shall be limited to those of an individual described in subsection (g) or (n) of section 922 of title 18, United States Code

"(b) BENCHMARK REQUIREMENTS.—Each plan established under this section shall include annual benchmarks to enable the Attorney General to assess the implementation of the plan, including—

"(1) qualitative goals and quantitative measures; and

"(2) a needs assessment, including estimated compliance costs.

"(c) COMPLIANCE DETERMINATION.—Not later than the end of each fiscal year beginning after the date of the establishment of an implementation plan under this section, the Attorney General shall determine whether each State or Indian tribal government has achieved substantial compliance with the benchmarks included in the plan.

"(d) ACCOUNTABILITY.—The Attorney General—

"(1) shall disclose and publish, including on the website of the Department of Justice—

"(A) the name of each State or Indian tribal government that received a determination of failure to achieve substantial compliance with an implementation plan under subsection (c) for the preceding fiscal year; and

"(B) a description of the reasons for which the Attorney General has determined that the State or Indian tribal government is not in substantial compliance with the implementation plan, including, to the greatest extent possible, a description of the types and amounts of records that have not been submitted; and

"(2) if a State or Indian tribal government described in paragraph (1) subsequently receives a determination of substantial compliance, shall—

"(A) immediately correct the applicable record; and

"(B) not later than 3 days after the determination, remove the record from the website of the Department of Justice and any other location where the record was published.

"(e) INCENTIVES.—For each of fiscal years 2018 through 2022, the Attorney General shall give affirmative preference to all Bureau of Justice Assistance discretionary grant applications of a State or Indian tribal government that received a determination of substantial compliance under subsection (c) for the fiscal year in which the grant was solicited."

(b) TABLE OF CONTENTS.—The table of contents in section 1(b) of the NICS Improvement Amendments Act of 2007 (Public Law 110-180; 121 Stat. 2559) is amended by inserting after the item relating to section 106 the following:

"Sec. 107. Implementation plan."

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 332—COMMEMORATING THE CHRISTENING OF THE USNS HERSEL "WOODY" WILLIAMS

Mr. MANCHIN (for himself and Mrs. CAPITO) submitted the following resolution; which was considered and agreed to:

S. RES. 332

Whereas Chief Warrant Officer 4 Hershel Woodrow "Woody" Williams of Fairmont, West Virginia, served in the Marine Corps for 17 years;

Whereas Hershel Woodrow "Woody" Williams served valiantly as a demolition sergeant with the 21st Marines, 3d Marine Division, against enemy Japanese forces at the Battle of Iwo Jima;

Whereas on October 5, 1945, Hershel Woodrow "Woody" Williams received the Medal of Honor from President Harry S. Truman for "valiant devotion to duty" at Iwo Jima on February 23, 1945;

Whereas Hershel Woodrow "Woody" Williams is the sole surviving Marine veteran of World War II to wear the Medal of Honor;

Whereas on January 14, 2016, during a ceremony in Charleston, West Virginia, Secretary of the Navy Ray Mabus announced that the Expeditionary Sea Base Ship T-ESB 4—the second of its kind—would be named United States Naval Ship (referred to in this preamble as "USNS") Hershel "Woody" Williams;

Whereas on August 19, 2017, the United States Navy launched the USNS Hershel "Woody" Williams; and

Whereas on October 21, 2017, the USNS Hershel "Woody" Williams was christened in San Diego, California: Now, therefore, be it

Resolved, That the Senate commemorates the christening of the United States Naval Ship Hershel "Woody" Williams and its mission to support mine countermeasures, counter-piracy operations, maritime secu-

rity, and humanitarian and crisis response operations.

SENATE RESOLUTION 333—PERMITTING THE COLLECTION OF CLOTHING, TOYS, FOOD, AND HOUSEWARES DURING THE HOLIDAY SEASON FOR CHARITABLE PURPOSES IN SENATE BUILDINGS

Mr. ISAKSON (for himself and Mr. TESTER) submitted the following resolution; which was considered and agreed to:

S. RES. 333

Resolved,

SECTION 1. COLLECTION OF CLOTHING, TOYS, FOOD, AND HOUSEWARES DURING THE HOLIDAY SEASON FOR CHARITABLE PURPOSES IN SENATE BUILDINGS.

(a) IN GENERAL.—Notwithstanding any other provision of the rules or regulations of the Senate—

(1) a Senator, officer of the Senate, or employee of the Senate may collect from another Senator, officer of the Senate, or employee of the Senate within Senate buildings nonmonetary donations of clothing, toys, food, and housewares for charitable purposes related to serving persons in need or members of the Armed Forces and the families of those members during the holiday season, if the charitable purposes do not otherwise violate any rule or regulation of the Senate or of Federal law; and

(2) a Senator, officer of the Senate, or employee of the Senate may work with a non-profit organization with respect to the delivery of donations described under paragraph (1).

(b) EXPIRATION.—The authority provided by this resolution shall expire at the end of the first session of the 115th Congress.

SENATE RESOLUTION 334—AUTHORIZING THE TAKING OF A PHOTOGRAPH IN THE SENATE CHAMBER

Mr. MCCONNELL (for himself and Mr. SCHUMER) submitted the following resolution; which was considered and agreed to:

S. RES. 334

Resolved, That paragraph 1 of rule IV of the Rules for the Regulation of the Senate Wing of the United States Capitol and Senate Office Buildings (prohibiting the taking of pictures in the Senate Chamber) be temporarily suspended for the sole and specific purpose of permitting the Senate Photographic Studio to photograph the Senate in actual session on Tuesday, December 5, 2017, at the hour of 2:15 p.m.

SEC. 2. The Sergeant at Arms of the Senate is authorized and directed to make the necessary arrangements therefore, which arrangements shall provide for a minimum of disruption to Senate proceedings.

AUTHORITY FOR COMMITTEES TO MEET

Mr. WICKER. Mr. President, I have 6 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.