the Federal Labor-Management Partnership Council.

S. 2345

At the request of Mr. CORNYN, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 2345, a bill to amend the DNA Analysis Backlog Elimination Act of 2000 to provide additional resources to State and local prosecutors, and for other purposes.

S. 2372

At the request of Mr. ISAKSON, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2372, a bill to amend title 38, United States Code, to provide outer burial receptacles for remains buried in National Parks, and for other purposes.

S. RES. 168

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

S. RES. 361

At the request of Mr. CORNYN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. Res. 361, a resolution expressing the sense of the Senate that the United States Government shall, both unilaterally and alongside the international community, consider all options for exerting maximum pressure on the Democratic People's Republic of Korea (DPRK), in order to denuclearize the DPRK, protect the lives of United States citizens and allies, and prevent further proliferation of nuclear weapons.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. VAN HOLLEN (for himself, Mr. PERDUE, Mr. TILLIS, Mr. GRAHAM, Mr. BROWN, Mr. COONS, Mr. CARDIN, Mr. KAINE, and Mr. MANCHIN):

S. 2384. A bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to make funding available to 1890 institutions without fiscal year limitation; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. VAN HOLLEN. Mr. President, today I am introducing the Carryover Equity Act of 2018 to eliminate the 20 percent carryover limitation which is an impediment to flexibility and effective financial planning of the 1890s Extension Program. The 1890s Extension Program is administered by the USDA's National Institute of Food and Agriculture (NIFA) and is a capacity funding program supporting extension activities at 1890 Land-Grant Universities. Its intent is to increase and strengthen agricultural sciences at the 1890s through the effective integration of education, research and extension programs.

My State is the home of the University of Maryland Eastern Shore (UMES), Maryland's only 1890 Land-Grant University and one of the State's four Historically Black Colleges and Universities (HBCUs). UMES, along with the University of Maryland College Park, form the University of Maryland Extension—a statewide educational organization funded by Federal, State, and local governments that brings research-based knowledge directly to communities throughout the ''Old Line'' State. The mission of University of Maryland Extension is to educate citizens to apply practical, research-based knowledge to critical issues facing individuals, families, communities, the State of Maryland, and its global partners.

In Maryland, the 1890 Extension Program is headquartered at UMES in Princess Anne, MD and extension programming at the University focuses on 4–H STEM; nutrition and health; seafood technology; small farm outreach; and small ruminant research. The UMES program is targeted to diverse audiences on the agriculturally important Eastern Shore with special emphasis on those with limited resources to help them improve their quality of life and to successfully pursue a career in agriculture.

Mr. President, current law limits the funding amount an 1890 institution may carry over in any fiscal year to 20 percent of the 1890s Extension Program funding received. This prohibition creates significant impediments for 1890 institutions to carry out their mission to deliver programs to customers and clientele and restricts the ability of 1890 institutions to efficiently and effectively manage their funding. No other USDA/NIFA capacity program has a similar 20 percent carryover limitation. By eliminating this 20 percent limitation, via the Carryover Equity Act, the 1890s Extension Program will have the same funding flexibility found in the other major capacity programs administered by NIFA. This bill has the strong support of 1890 institution Presidents as well as the Association of Public & Land-Grant Universities.

I am pleased to be joined in introducing this bill by Senators PERDUE, BROWN, TILLIS, CARDIN, COONS, GRAHAM, MANCHIN and KAINE who, like me, recognize the value 1890 land grant institutions bring to the rural communities of our States and the research and technical support these institutions provide to our socially disadvantaged, and veteran farmer, and rancher constituents with limited resources. I look forward to working together with Senate and House colleagues to see that this important legislation is included in the next Farm Bill.

By Mr. GRASSLEY (for himself, Mr. MANCHIN, and Mrs. ERNST):

S. 2386. A bill to provide additional protections for our veterans; to the Committee on Veterans' Affairs.

Mr. GRASSLEY. Mr. President, I would like to raise a very important issue that is impacting our veterans population. That issue is the systematic denial of these veterans' Second Amendment rights. This comes up in discussions with Iowa veterans, and I have candidly discussed this issue before on the Senate floor.

Today, I am introducing bipartisan legislation, cosponsored by Senator MANCHIN, called the Veterans' Second Amendment Rights Restoration Act of 2018. This bill is being introduced to solve the problem of denying these rights to veterans.

The legislation is about the fidelity of the Constitution and about the fidelity of the Bill of Rights. It is also about due process and fairness for veterans. What this is not about, I want to make clear, is allowing anyone to purchase a firearm who is prohibited to do so under current law or regulations. I want it to be very clear right off the bat so that no one misinterprets this as some effort to let people own firearms who would normally be prohibited.

This legislation is needed because a very disturbing trend has occurred in the past decade. The Veterans Health Administration has been reporting veterans to the National Instant Criminal Background Check System—the national gun ban list—just because these veterans have been determined by the VA to be veterans who require a fiduciary to administer benefit payments. This is a pretty simple proposition that denies veterans their Second Amendment rights. It is that simple, as I just said. A fiduciary's administering benefit payments to a veteran could and does lead to that veteran's being denied Second Amendment rights. Once on the gun list, a veteran is outlawed from owning or possessing firearms.

It is crucial to note that the regulations that the Veterans Health Administration is relying on are from way back in the 1970s. It predates even the National Instant Criminal Background Check System and is long before the Supreme Court held the Second Amendment to be a fundamental, constitutional right. These regulations grant limited authority to determine incompetence only in the context of financial matters.

The regulation reads like this: ''Rating agencies have sole authority to make official determinations of competency or incompetency for purposes of: insurance and . . . disbursement of benefits.''

There is nothing wrong with that language, but it is that language that leads to the problems that veterans have with their Second Amendment rights. From this language, it is clear that the core regulatory authority applies to matters of competency for financial purposes. It has nothing to do with regulating who can purchase firearms, but that is exactly what is happening. Veterans are losing their Second Amendment rights because they have people managing their checkbooks. It is that simple. If you cannot handle your finances, you lose your Second Amendment rights.

Everybody wants to know how this is happening. Federal law requires that before a person is reported to a gun ban list, he be determined to be a ''mental defective.'' The Bureau of Alcohol, Tobacco, Firearms and Explosive created a regulation to define what ''mental defective'' means. It includes, among other requirements, that a person is a danger to self or others. The VA has taken the position that this Alcohol, Tobacco, Firearms and Explosives regulation can then be made to fit within its own preexisting regulatory structure for assigning a fiduciary, thus requiring that name be put on the gun ban list.

The intent and purpose between these two regulations is entirely different. On the one hand, the VA regulation is designed to appoint a fiduciary. On the other hand, the ATF regulation is designed to regulate firearms. That is a great big, huge distinction. The level of mental impairment that justifies taking away the right to possess and own firearms must rest at a severe and substantial level—a level at which the mere possession of a firearm would constitute a danger to self or others. That decision is never made by the VA before submitting names to this gun ban list. As such, imposing a gun ban is a harsh result that could sweep up veterans who are fully capable of appropriately operating a firearm.

It gets worse.

When veterans are then placed on that gun ban list, they must prove that they are not dangerous to the public in order to get their names removed from that list. That dangerousness standard is much higher than the mere assignment of a fiduciary. Thus, veterans are subjected to a more rigorous and more demanding evidentiary standard to get their names off the gun ban list than the Federal Government must prove to put their names on that list. We ought to all agree that is patently unfair. I also believe that it is unconstitutional. When dealing with a fundamental, constitutional right like the one protected by the Second Amendment, at the very minimum, the government ought to be held to the same standard as we the people.

We owe it to our veterans to fix this problem. As of December 31, 2016, the Veterans Health Administration reported 167,815 veterans to the gun ban list for having been assigned a fiduciary. That is 167,815 out of 171,083 or another way of saying it is 98 percent of all names reported.

It is important to note that since the VA reports names to the gun ban list merely when a fiduciary is assigned to that veteran, not one of those names has been reported because a veteran has been deemed to be a public danger. Accordingly, not all veterans reported to the gun ban list should be on it.

On May 18, 2016, I debated this very issue on the Senate floor with Senator DURBIN. He said, ''I do not dispute what the Senator from Iowa suggested, that some of these veterans may be suffering from a mental illness not serious enough to disqualify them from owning a firearm, but certainly many of them do.''

Then Senator DURBIN said, ''Let me just concede at the outset that reporting 174,000 names goes too far, but eliminating 174,000 names goes too far.''

I am pleased that Senator DURBIN acknowledged that many of the names supplied by the VA on the gun ban list do not pose a danger and should be removed.

I thank his staff for working with my staff during this process.

The essential question then is, How do we go about fixing it the right way?

I believe my legislation does just that. This legislation adds a new step before the VA can report names to a gun ban list. The step requires that once a fiduciary is assigned, the VA must first find the veteran to be a danger to self or to the public before taking away his firearm. That is the same standard that the veteran must satisfy currently in order to get his name off the gun ban list.

My legislation also provides constitutional due process. Specifically, it shifts the burden of proof to the government to prove a veteran is dangerous before taking away firearms. Currently, the entire burden of proof is on the veteran to prove that he or she is not dangerous. When a constitutional right is involved, the burden must always be on the government.

My bill also creates an option for the veteran to seek legal redress via an administrative board or the Federal court system. The veteran is in control. It provides an avenue for every veteran already on that gun ban list to get his name removed. That last point is important to note.

My bill does not automatically remove every veteran from the list, which was a concern Senator DURBIN raised previously when we debated this issue. It does require the VA to provide notice to every veteran on the list of his right to go through the new process to have his name removed. Should a veteran choose to do that, the protections, the process, the procedure, and the standards set forth in my bill would then apply to him. Every veteran is free to apply for relief, and every veteran will be treated equally under my bill. Of course, that is the fair thing to do. That is the constitutionally sound way to manage this process.

The bill does provide authority for the government to seek an emergency order if it believes a veteran is a serious and imminent risk to self or to others. That was a suggestion by Senator DURBIN—to provide for a short-term safety mechanism when the situation is too urgent to wait for a judge to evaluate all of the facts.

The bill also retains a mechanism for the VA to systematically refer veterans to the National Instant Criminal Background Check System. This was another of Senator DURBIN's main concerns. A simpler bill passed the House of Representatives last year that is similar to the amendment I tried to offer and that Senator DURBIN objected to in the year 2016. It would, simply, stop the VA from referring veterans to the gun ban list without first finding them a danger to self and others. However, it did not set up any system to make that happen. The argument is that this puts veterans using the VA in the same boat as everybody else. Of course, I am sympathetic to that argument, but the legislation I am introducing today is a good faith effort to overcome objections that have prevented action on this important issue in the past.

My bill solves a problem that has existed for many years: denying veterans their Second Amendment rights. Veterans should not be subject to a harsher standard than what the government is subject to. Veterans deserve full due process protections when their constitutional rights are at stake. That is the core of this legislation.

The regulatory process at the back end to remove a veteran from the gun ban list is simply moved to the front end; that is, the Federal Government must first prove that a veteran is dangerous before taking away firearms. This is the same standard applied to nonveterans.

This fix will not change existing firearms laws. Felons are still prohibited from owning firearms. Persons with domestic violence convictions are still prohibited. Persons adjudicated as mentally defective are still prohibited. Persons involuntarily committed are still prohibited. If my bill were to become law, every Federal firearm prohibition would still exist.

Again, the core of my bill simply requires the Federal Government to prove that a veteran is dangerous before taking away his or her firearms. That is the same standard our veterans must live by currently in order to remove their name from the gun ban list and get their guns back.

If we, the people, have to live under that standard, then, so should our Federal Government.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 392—COMMEMORATING THE SUCCESS OF THE UNITED STATES OLYMPIC AND PARALYMPIC TEAMS IN THE PAST 23 OLYMPIC WINTER GAMES AND 11 PARALYMPIC WINTER GAMES AND SUPPORTING THE UNITED STATES OLYMPIC AND PARALYMPIC TEAMS IN THE 2018 OLYMPIC WINTER GAMES AND PARALYMPIC WINTER GAMES

Ms. KLOBUCHAR (for herself, Mr. HATCH, Mr. BENNET, Mr. ISAKSON, and Mr. THUNE) submitted the following resolution; which was referred to the