

Whereas April 2016 is recognized as “National Sexual Assault Awareness and Prevention Month”: Now, therefore, be it

Resolved, That—

(1) it is the sense of the Senate that—

(A) National Sexual Assault Awareness and Prevention Month provides a special opportunity to educate the people of the United States about sexual violence and to encourage the prevention of sexual assault, improvement in the treatment of survivors of sexual assault, and the prosecution of perpetrators of sexual assault;

(B) it is appropriate to properly acknowledge survivors of sexual assault and to commend the volunteers and professionals who assist those survivors in their efforts to heal;

(C) national and community organizations and private sector supporters should be recognized and applauded for their work in promoting awareness about sexual assault, providing information and treatment to survivors of sexual assault, and increasing the number of successful prosecutions of perpetrators of sexual assault; and

(D) public safety, law enforcement, and health professionals should be recognized and applauded for their hard work and innovative strategies to ensure perpetrators of sexual assault are held accountable; and

(2) the Senate supports the goals and ideals of National Sexual Assault Awareness and Prevention Month.

SENATE RESOLUTION 453—DESIGNATING APRIL 30, 2016, AS “DÍA DE LOS NIÑOS: CELEBRATING YOUNG AMERICANS”

Mr. MENENDEZ (for himself, Mr. BENNET, Mr. CRAPO, Mrs. FEINSTEIN, Mrs. MURRAY, Mr. NELSON, Mr. REED, Mr. REID, Mr. SCHUMER, Mrs. BOXER, and Mr. HATCH) submitted the following resolution; which was considered and agreed to:

S. RES. 453

Whereas each year, people in many countries throughout the world, and especially in the Western Hemisphere, celebrate Día de los Niños, or Day of the Children, on April 30th in recognition and celebration of the future of their country—their children;

Whereas children represent the hopes and dreams of the people of the United States, and the well-being of children remains one of the top priorities of the United States;

Whereas the people of the United States must nurture and invest in children to preserve and enhance economic prosperity, democracy, and the spirit of the United States;

Whereas in 2014, the Census Bureau estimated that approximately 17,900,000 of the nearly 55,400,000 individuals of Hispanic descent living in the United States are children under 18 years of age, representing $\frac{1}{3}$ of the total Hispanic population residing in the United States and roughly $\frac{1}{4}$ of the total population of children in the United States;

Whereas Hispanic Americans, the youngest and largest racial or ethnic minority group in the United States, celebrate the tradition of honoring their children on Día de los Niños and wish to share this custom with all people of the United States;

Whereas as the United States becomes more culturally and ethnically diverse, the people of the United States must strive to create opportunities that provide dignity and upward mobility for all children;

Whereas the primary teachers of family values, morality, and culture are parents and family members, and children are responsible for passing on family values, morality, and culture to future generations;

Whereas the importance of literacy and education is most often communicated to children through family members;

Whereas the latest data from the National Assessment of Educational Progress (referred to in this preamble as “NAEP”) indicates that Latino students continue to score lower than the national average on reading assessments conducted at the elementary school, middle school, and high school levels—an achievement gap that has persisted for decades;

Whereas the most recent data by NAEP demonstrates that 81 percent of Latino fourth graders in public schools are not proficient in reading;

Whereas Latino authors and Latino protagonists remain underrepresented in literature for children, and less than 3 percent of books for children are written by Latino authors, illustrated by Latino book creators, or feature significant Latino cultural content, even though $\frac{1}{4}$ of all public school children are Latino;

Whereas research has shown that culturally relevant literature can increase student engagement and reading comprehension, yet some Latino students may go their entire educational experience without seeing themselves portrayed positively in the books that they read and the stories that they hear;

Whereas increasing the number and proportion of multicultural authors in literature for children elevates the voices of the growing diverse communities in the United States and can serve as an effective strategy for closing the reading proficiency achievement gap;

Whereas addressing the widening disparities that still exist among children is of paramount importance to the economic prosperity of the United States;

Whereas the designation of a day to honor the children of the United States will help affirm the significance of family, education, and community among the people of the United States;

Whereas the designation of a day of special recognition for the children of the United States will provide an opportunity for children to reflect on their futures, articulate their aspirations, and find comfort and security in the support of their family members and communities;

Whereas families should be encouraged to engage in family and community activities that include extended and elderly family members and encourage children to explore and develop confidence;

Whereas the National Latino Children’s Institute, serving as a voice for children, has worked with cities throughout the United States to declare April 30, 2016, as Día de los Niños: Celebrating Young Americans, a day to bring together Latinos and communities across the United States to celebrate and uplift children; and

Whereas the people of the United States should be encouraged to celebrate the gifts of children to society and invest in future generations: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 30, 2016, as “Día de los Niños: Celebrating Young Americans”; and

(2) calls on the people of the United States to join with all children, families, organizations, communities, churches, cities, and States across the United States to observe the day with appropriate ceremonies, including activities that—

(A) center around children and are free or minimal in cost so as to encourage and facilitate the participation of all people;

(B) are positive, uplifting, and help children express their hopes and dreams;

(C) provide opportunities for children of all backgrounds to learn about each other’s cultures and share ideas;

(D) include all family members, especially extended and elderly family members, so as to promote greater communication among the generations within families, which will enable children to appreciate and benefit from the experiences and wisdom of elderly family members;

(E) provide opportunities for families with in a community to build relationships; and

(F) provide children with the support they need to develop skills and confidence and to find the inner strength, will, and fire of the human spirit to make their dreams come true.

SENATE RESOLUTION 454—RECOGNIZING THE TRANSPORTATION COMMUNITY AWARENESS AND EMERGENCY RESPONSE PROGRAM ON ITS 30TH ANNIVERSARY

Mrs. CAPITO submitted the following resolution; which was considered and agreed to:

S. RES. 454

Whereas the Transportation Community Awareness and Emergency Response program (referred to in this preamble as “TRANSCAER”) is a voluntary national outreach effort that focuses on assisting communities to prepare for and respond to a possible hazardous material transportation incident;

Whereas TRANSCAER was founded in 1986; Whereas TRANSCAER members consist of—

(1) volunteer representatives from the chemical manufacturing, transportation, distribution, and emergency response industries;

(2) volunteer representatives from industry associations;

(3) volunteer personnel of those industries and industry associations; and

(4) government representatives;

Whereas TRANSCAER offers hundreds of training events each year;

Whereas TRANSCAER offered training to tens of thousands of responders between 1986 and 2016;

Whereas TRANSCAER is a unified industry initiative that promotes the safe transportation and handling of hazardous materials;

Whereas TRANSCAER aids community emergency response planning for hazardous material transportation incidents;

Whereas TRANSCAER builds strong relationships and trust with communities located along transportation routes, and those relationships and trust could help to ensure that an incident is handled safely, appropriately, and efficiently; and

Whereas TRANSCAER demonstrates the continuing commitment of chemical manufacturers and transporters to the safe transportation of hazardous materials: Now, therefore, be it

Resolved, That the Senate recognizes the Transportation Community Awareness and Emergency Response program (commonly referred to as “TRANSCAER”) on its 30th anniversary.

SENATE RESOLUTION 455—RECOGNIZING THE CULTURAL AND HISTORIC SIGNIFICANCE OF THE CINCO DE MAYO HOLIDAY

Mr. BENNET (for himself, Mr. CORNYN, Mr. REID, Mr. MENENDEZ, Mrs.

MURRAY, Mr. DURBIN, Mr. SCHUMER, Mr. UDALL, Mr. HEINRICH, Mr. BOOKER, Mr. GARDNER, Mr. CRUZ, and Mr. FRANKEN) submitted the following resolution; which was considered and agreed to:

S. RES. 455

Whereas May 5, or “Cinco de Mayo” in Spanish, is celebrated each year as a date of importance by Mexican and Mexican-American communities;

Whereas the Cinco de Mayo holiday commemorates May 5, 1862, the date on which Mexicans defeated the French at the Battle of Puebla, 1 of the many battles that the Mexican people won in their long and brave fight for independence, freedom, and democracy;

Whereas the victory of Mexico over France at the Battle of Puebla represented a historic triumph for the Mexican government during the Franco-Mexican war of 1861-1867 and bolstered the resistance movement;

Whereas the success of Mexico at the Battle of Puebla reinvigorated the spirits of the Mexican people and provided a renewed sense of unity and strength;

Whereas the French army, which had not experienced defeat against any of the finest troops of Europe in more than half a century, sustained a disastrous loss at the hands of an outnumbered and ill-equipped, but highly spirited and courageous, Mexican army;

Whereas the courageous spirit that Mexican General Ignacio Zaragoza and his men displayed during that historic battle can never be forgotten;

Whereas in a larger sense, Cinco de Mayo symbolizes the right of a free people to self-determination, just as Benito Juarez, the president of Mexico during the Battle of Puebla, once said, “El respeto al derecho ajeno es la paz”, meaning “respect for the rights of others is peace”;

Whereas the sacrifice of Mexican fighters was instrumental in keeping Mexico from falling under European domination while, in the United States, the Union Army battled Confederate forces in the Civil War;

Whereas Cinco de Mayo serves as a reminder—

(1) that the foundation of the United States was built by individuals from many countries and diverse cultures who were willing to fight and die for freedom; and

(2) of the close ties between the people of Mexico and the people of the United States;

Whereas Cinco de Mayo encourages the celebration of a legacy of strong leaders and a sense of vibrancy in communities; and

Whereas Cinco de Mayo serves as a reminder to provide more opportunities for future generations: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the historic struggle of the people of Mexico for independence and freedom, which Cinco de Mayo commemorates; and

(2) encourages the people of the United States to observe Cinco de Mayo with appropriate ceremonies and activities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3884. Mr. GRASSLEY (for himself, Mr. DURBIN, Mr. CORNYN, Mr. WHITEHOUSE, Mr. LEE, Mr. SCHUMER, Mr. GRAHAM, Mr. LEAHY, Mr. BOOKER, Mr. COCHRAN, Mr. BENNET, Mr. KIRK, Mr. MANCHIN, Mr. SULLIVAN, Mr. DAINES, Ms. MIKULSKI, and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill S. 2123, to reform sentencing laws and correctional institutions, and for other purposes; which was ordered to lie on the table.

SA 3885. Mr. McCONNELL (for Mr. MENENDEZ) proposed an amendment to the bill S. 1875, to support enhanced accountability for United States assistance to Afghanistan, and for other purposes.

SA 3886. Mr. McCONNELL (for Mr. CORKER) proposed an amendment to the bill S. 1635, to authorize the Department of State for fiscal year 2016, and for other purposes.

TEXT OF AMENDMENTS

SA 3884. Mr. GRASSLEY (for himself, Mr. DURBIN, Mr. CORNYN, Mr. WHITEHOUSE, Mr. LEE, Mr. SCHUMER, Mr. GRAHAM, Mr. LEAHY, Mr. BOOKER, Mr. COCHRAN, Mr. BENNET, Mr. KIRK, Mr. MANCHIN, Mr. SULLIVAN, Mr. DAINES, Ms. MIKULSKI, and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill S. 2123, to reform sentencing laws and correctional institutions, and for other purposes; which was ordered to lie on the table; as follows:

On page 143, line 12, insert “and for which the offender’s release from any term of imprisonment was within 15 years of the commencement of the instant offense” before the period.

On page 146, line 11, insert “a term of imprisonment may be reduced only if the defendant has not been convicted of any serious violent felony and” after “offense,”.

On page 146, line 12, strike “may”.

On page 146, beginning on line 15, strike “, reduce the term of imprisonment for the offense”.

On page 146, line 21, strike “if such” and insert “finds”.

On page 147, line 7, insert “, including a review of any prior criminal conduct or any other relevant information from Federal, State, and local authorities” after “section”.

On page 147, strike lines 11 through 20, and insert the following:

(1) in subsection (f)—

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

(i) by striking “or section 1010” and inserting “, section 1010”; and

(ii) by inserting “, or section 70503 or 70506 of title 46” after “963”;

(B) by striking paragraph (1) and inserting the following:

“(1) the defendant does not have—
“(A) more than 4 criminal history points, excluding any criminal history points resulting from a 1-point offense, as determined under the sentencing guidelines;

“(B) a prior 3-point offense, as determined under the sentencing guidelines; and

“(C) a prior 2-point violent offense, as determined under the sentencing guidelines;”;

and

(C) after paragraph (5), by inserting the following:

“Information disclosed by a defendant under this subsection may not be used to enhance the sentence of the defendant unless the information relates to a violent offense.”; and

On page 148, strike lines 15 through 25 and insert the following:

“(h) DEFINITION OF VIOLENT OFFENSE.—As used in this section, the term ‘violent offense’ means a ‘crime of violence’, as defined in section 16, that is punishable by imprisonment.”.

On page 149, line 13, strike “or section” and insert “, section”.

On page 149, line 14, insert “, or section 70503 or 70506 of title 46,” after “963”.

On page 150, strike lines 7 through 14 and insert the following:

“(3) the defendant was not an organizer, leader, manager, or supervisor of other par-

ticipants in the offense, as determined under the sentencing guidelines;

On page 150, line 20, insert “, unless the defendant was a minor or minimal participant, as determined under the sentencing guidelines” before the semicolon.

On page 151, between lines 8 and 9, insert the following:

“Information disclosed by a defendant under this subsection may not be used to enhance the sentence of the defendant unless the information relates to a violent offense.

On page 152, strike lines 10 through 20 and insert the following: “United States Code, is amended, in the matter preceding clause (i), by striking ‘second or subsequent conviction under this subsection’ and inserting ‘violation of this subsection that occurs after a prior conviction under this subsection has become final’.”.

On page 153, line 8, insert “a term of imprisonment may be reduced only if the instant violation was for a drug trafficking offense that did not involve a violation of clause (ii) or (iii) of section 924(c)(1)(A) of title 18, United States Code, the defendant has not otherwise been convicted of any serious violent felony, and” after “offense,”.

On page 153, line 9, strike “may”.

On page 153, beginning on line 12, strike “, reduce the term of imprisonment for the offense”.

On page 153, line 18, strike “if such” and insert “finds”.

On page 154, line 4, insert “, including a review of any prior criminal conduct or any other relevant information from Federal, State, and local authorities” after “section”.

Beginning on page 154, strike line 5 and all that follows through page 155, line 23.

On page 156, line 1, strike “106” and insert “105”.

On page 157, line 1, strike “107” and insert “106”.

On page 158, line 1, strike “108” and insert “107”.

On page 162, line 3, strike “109” and insert “108”.

On page 162, line 25, insert “and organized by Federal district where applicable” after “paragraph (1)”.

On page 163, line 5, insert “, including referrals from investigative agencies of the Department of Justice,” after “prosecution”.

On page 166, between lines 12 and 13, insert the following:

SEC. 109. FENTANYL.

(a) CONTROLLED SUBSTANCES ACT AMENDMENT.—Section 401(b) of the Controlled Substances Act (21 U.S.C. 841(b)) is amended by adding at the end the following:

“(8)(A) In the case of a violation of subsection (a), if the mixture or substance containing a detectable amount of heroin also contains a detectable amount of N-phenyl-N-[1-(2-phenylethyl) -4-piperidinyl] propanamide or any analogue of N-phenyl-N-[1-(2-phenylethyl) -4-piperidinyl] propanamide, then a court shall—

“(i) not impose a term of probation; and

“(ii) in addition to the term of punishment for the violation of this section, impose a term of imprisonment not to exceed 5 years.

“(B) A term of imprisonment imposed on a person under subparagraph (A)(ii) may not run concurrently with any term of imprisonment imposed on the person under any other provision of law.

“(9)(A) In the case of a violation of subsection (a), if the mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl) -4-piperidinyl] propanamide or any analogue of N-phenyl-N-[1-(2-phenylethyl) -4-piperidinyl] propanamide was represented to be or sold as heroin, then a court shall—

“(i) not impose a term of probation; and