

a suspected terrorist, or someone who has recently been under investigation for terrorism, from buying a gun. It is also common sense that assault weapons designed for the battlefield have no place on our streets, in our schools, in our churches, or in our communities. I have moved and supported an assault weapons ban for this simple reason.

These changes make sense, and they fix glaring vulnerabilities in our system. This is not about politics. This is about keeping Americans safe. This is about stepping up and taking action and not just resigning ourselves to the repeated call for moments of silence, tragedy after tragedy. I am a responsible gun owner, and I do not take this issue lightly. I have fought for years to pass these commonsense measures, and I will continue to do so.

Americans have shown throughout the course of history that we can live up to the principles of freedom, equality, and liberty that have guided us for so long. Now is the time to stand defiantly against the petty politics of fear. Despite what others may say, we are a great nation. Now is the time for Congress to act to pass commonsense measures that have languished for too long and could save American lives.

BUDGET COMMITTEE COST ESTIMATE—S. 2837

Mr. ENZI. Mr. President, I wish to offer for the RECORD the Budget Committee's cost estimate of S. 2837, the Commerce, Justice, and Science Appropriations Act for Fiscal Year 2017.

The reported measure provides \$56.3 billion in discretionary budget authority for fiscal year 2017, which will result in discretionary outlays of \$64.4 billion.

The reported bill matches its section 302(b) allocation set forth in S. Rept. 114-273 for budget authority for both the security and nonsecurity categories, and matches the 302(b) allocation for outlays.

The bill is not subject to any budget-related points of order.

I ask unanimous consent that the table displaying the Budget Committee scoring of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2837, 2017 COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS—SPENDING COMPARISONS—SENATE-REPORTED BILL  
(Fiscal Year 2017, \$ millions)

	Budget Authority		Outlays	
	Security	Nonsecurity	Total	Total
Senate-reported bill: .....	5,117	51,168	56,285	64,409
Senate 302(b) allocation: .....	5,117	51,168	56,285	64,409
2016 Enacted: .....	5,101	50,621	55,722	63,872
President's request: .....	5,102	49,522	54,624	64,468
SENATE-REPORTED BILL COMPARED TO:				
Senate 302(b) allocation: .....	0	0	0	0
2016 Enacted: .....	16	547	563	537
President's request: .....	15	1,646	1,661	-59

NOTE: Details may not add to totals due to rounding.

NATIONAL DEFENSE AUTHORIZATION BILL

Mr. ALEXANDER. Mr. President, Senator MURRAY and I rise today to speak about our shared concerns with language included in this year's National Defense Authorization Act, NDAA.

Section 578 of this year's National Defense Authorization Act, NDAA, is an inappropriate place from which to impose mandates on nearly 20,000 public elementary and secondary schools in 1,225 public school districts across the country.

Legislative language is included in the NDAA this year that dictates disruptive policies on public schools that would create a complicated and confusing system where one school system follows established background checks under State or local law, while a neighboring county must now comply with a new unfunded Federal mandate. This language should not be included in the final version of this bill.

The U.S. Senate takes seriously the goal of ensuring the safety of the more than 50 million children in our 100,000 public schools, including federally connected children. These issues have been and should be discussed, debated, and legislated within the appropriate committees of jurisdiction. Measures related to education are within the jurisdiction of the Senate Health, Education, Labor, and Pensions Committee under Rule XXV of the Standing Rules of the Senate, as well as within the jurisdiction of the House Committee on Education and the Workforce under Rule X of the Rules of the House of Representatives for the 114th Congress.

So while it may be appropriate for the Armed Services Committee to dictate background check policies for the 172 schools operated by the Department of Defense, it is not appropriate to use the authorization bill for the Department of Defense to impose mandates on nearly 20,000 public elementary and secondary schools in 1,225 public school districts across the country.

These 20,000 public schools, out of 100,000 total, are being singled out because they receive "Impact Aid" funds from the Federal Government under title VII of the Elementary and Secondary Education Act, ESEA, of 1965. The purpose of the program is to "fulfill the Federal responsibility to assist with the provision of educational services to federally connected children in a manner that promotes control by local educational agencies with little or no Federal or State involvement."

According to the Government Accountability Office, 46 States already require background checks of some kind for all public school employees, and 42 States have established professional standards or codes of conduct for school personnel. Section 578 of the NDAA would create confusion for all those States and localities, as they are forced to navigate two sets of potentially conflicting background checks policies.

As chairman and ranking members of the Senate HELP Committee, Senator MURRAY and I worked tirelessly last year to pass a long-overdue reauthorization of the Elementary and Secondary Education Act. Our law, called the Every Student Succeeds Act, addressed the issue of background checks.

I now want to yield to my colleague, Mrs. MURRAY, to speak on this issue.

Mrs. MURRAY. Mr. President, I thank the Chairman of the HELP Committee, Senator ALEXANDER, for his comments.

I share his concerns that section 578 of the National Defense Authorization Act bill is not the right way to ensure students can learn in safe and secure school environments, and will impose unfair and unreasonable requirements on more than 1,200 schools districts across the country. Criminal background checks are a critically important means to ensure that students are safe in our schools, and that is why they are required in 46 States. But the language of section 578 will force the 1,225 school districts that receive Impact Aid funds—and which are in almost every State—to have two separate criminal background check systems for different schools and different employees within a single school district. It is costly, duplicative, poorly conceived, and should not be part of a Defense authorization bill.

In my State of Washington 628 schools, about a quarter of our public schools, receive Impact Aid funds and would be subject to a separate expensive set of background checks that differs from the background checks already conducted. In the chairman's State, 571 schools receive Impact Aid funds and would be subject to this different standard. It is fundamentally unfair and not beneficial to students to ask our schools and our school districts to assume the costs of these checks, which are similar to but not exactly the same as those already conducted in our States.

Our highest priority is making sure students in schools across the country are protected. But I agree with the chairman that section 578 of the National Defense Authorization Act, NDAA, is not the right way to help schools effectively protect their students. As the Chairman already noted, the reauthorization of the Elementary and Secondary Education Act that occurred less than a year ago took a major step forward in protecting unsuspecting students and families from school employees suspected of abuse in previous positions. We incentivized schools and districts to report cases of suspected abuse to law enforcement and made it far more difficult for schools to quietly allow suspected abusers to seek employment in another State or school district. The amendment that provided those protections was adopted by a vote of 98-0.

While this was an important step forward, I continue to look for ways to build on it and continue our work making sure students are being protected most effectively. Unfortunately, rather than taking the important step of extending similar protections for students to schools operated by the Department of Defense, the bill instead overrides a comprehensive Department of Defense criminal background check regulation that provides strong new protections to students and is less than a year old. NDAA section 578 imposes a background check system with serious problems on DOD schools and then further extends that problematic background check system to non-Department of Defense schools all over the country.

Section 578 imposes a system of criminal background checks that prohibits people from working in any capacity in these schools if they have committed low-level offenses having nothing to do with violence or children. Unlike the laws in 29 States, as well as the new Department of Defense regulation, section 578 of the NDAA offers employees no way to demonstrate mitigating circumstances and requires that employees are terminated while appealing a finding, even though these records are often inaccurate or incomplete.

Section 578 is unnecessary, expensive, unfairly creates competing background check systems in States across the county and, most importantly, is not the right way to ensure our schools are safe. This provision is not within the jurisdiction of the Armed Services Committee, and I join the chairman in his position that it should not be included in the final bill.

Mr. President, I thank the Senator for engaging in the colloquy.

#### DACA 4-YEAR ANNIVERSARY

Mr. MENENDEZ. Mr. President, I wish to speak on this fourth anniversary of the Deferred Action for Childhood Arrivals Program, DACA, for all of the young men and young women it

has helped bring out of the shadows— young men and woman who came to this country as children and, because of DACA, have had the security of temporary deportation relief and work authorization so they could achieve their full potential as young Americans.

I celebrate DACA's anniversary with great pride and tremendous hope. For years, I pushed hard to make this program a reality.

I have spoken directly—and frankly—to the President many times about granting long-overdue administrative relief to DREAMers, who are Americans in every way except for a piece of paper.

And 4 years ago, with the tireless advocacy of DREAMers and the power of their individual stories, with the help of the immigrant community, community leaders in cities and towns across America, and countless Members of Congress, the President took action and changed the lives of thousands of young men and women, allowing them to fully contribute to the country they call home—the only country they have ever known. DACA recipients are part of our communities in all 50 States.

New Jersey ranks ninth in the Nation, with over 34,000 approved DACA applications. These young people have been granted the most important thing they could have: the peace of mind that comes with temporary protection from deportation and the ability to work and contribute.

Since its inception, DACA has harnessed their talents in measurable ways and is a success today because of the President's bold Executive actions in June of 2012. In an immigration system as flawed as ours, DACA has been a beacon of hope, one shining light leading the way toward fairness, justice, and a better life for so many immigrants looking for a chance to succeed in America as Americans.

The numbers tell the story. DACA has been granted to approximately 728,000 young immigrants. It has strengthened our economy. A survey by the National Immigration Law Center and the Center for American Progress found that after obtaining DACA, more than two-thirds of recipients were able to secure a job with higher pay and their wages rose by an average of 45 percent.

Higher wages are not just good for DACA recipients, but for all Americans; it stimulates economic growth and translates into more tax revenue.

DACA has allowed young Americans to open bank accounts, get a driver's license, go to college, and prepare for a stable, economically secure, and financially solvent future for themselves and their families.

There is no question in my mind—and the numbers prove it—that DACA has been a model of success, and that success has been shaped by the courageous young men and women who decided to come forward, register with the government, subject themselves to a background check, work hard, and

take advantage of every single opportunity that DACA provides.

These young men and women and their families represent who we are as a nation. They embody the spirit of American life, which has always been shaped by the hopes, dreams, and courage of those who have made this country their home.

In the absence of comprehensive immigration reform, DACA allows these young people to live with dignity and without the fear of deportation—the fear of being separated from their families. Now, they are our newest college students, teachers, and small business owners.

So here we are—with the perspective of 4 years of DACA success, 4 years of dreams fulfilled, potential reached—and proof that all of America benefits when an undocumented individual steps out of the shadows—proof that, when we give people a chance, they can make it on their own ingenuity, skill, and hard work, and they will not only contribute to the economy, but to the strength of America.

With the lessons of 4 years of DACA, it should be clear that we need to build upon DACA's success, not turn our backs on extending fair opportunities to those who are willing to work hard for them.

For many, the dream began with DACA. For others, the dream remains only a dream, delayed because of the politically motivated lawsuit of *U.S. v. Texas*. A case which has blocked the President's more recent Executive actions, Deferred Action for Parents of Americans and Legal Permanent Residents, DAPA, and expanded DACA from being implemented.

These new programs provide temporary relief from deportation and a work permit to parents of U.S. citizens and lawful permanent resident children and a larger group of DREAMers.

The case is currently before the Supreme Court, and we expect the Court to issue a decision this month.

I attended oral arguments on April 18 and remain hopeful that the Justices will see through the hate and the political theater, and that it will be clear that our Nation governs by its values, that we favor building bridges instead of walls.

And I am not alone in that hope. I was joined by 224 Members of Congress in filing an amicus brief outlining the legality and importance of implementing the President's DAPA and expanded DACA programs.

We felt the need to show our support for the President's actions while pushing back against the jingoism, isolationism, and xenophobia of those who insist on leaving millions of families, millions of parents of U.S. children stuck in the shadows.

With this case, the Supreme Court has an opportunity to do something positive: to provide temporary relief from deportation and a work permit to almost 4 million parents of U.S. citizens and lawful permanent residents.