

Memorandum: Detail of Adjustments Made Above

|   | OCO | Program Integrity | Disaster Relief | Emergency | Total |
|---|-----|-------------------|-----------------|-----------|-------|
| Revised Security Discretionary Budget Authority .....             | 0   | 0                 | 0               | 0         | 0     |
| Revised Nonsecurity Category Discretionary Budget Authority ..... | 0   | 0                 | 0               | 0         | 0     |
| General Purpose Outlays .....                                     | 0   | 0                 | 10              | -72       | -62   |

#### TRIBUTE TO JOSEPH BOARDMAN

Mr. BOOKER. Mr. President, today I wish to honor the dedication of Joseph Boardman, the president and chief executive officer of Amtrak. After nearly 8 years of service, Mr. Boardman will retire from Amtrak this month. He is the second longest serving leader in Amtrak's history.

Mr. Boardman has spent his life in transportation and public service. As a boy, Mr. Boardman would watch the buses passing on Route 69 as he was working in the fields on his family farm. His father persuaded him of the importance of transportation and started him down the road to a career in public transportation. After graduating from high school, he enlisted in the U.S. Air Force in 1966 and served the United States in Vietnam. He received his bachelor's degree at Cornell and his master's from SUNY Binghamton.

Mr. Boardman's transportation career began as a bus driver. Later, he went on to manage the transportation authorities for the cities of Rome and Utica. He also worked in Broome County as the commission of transportation services, before starting his own transportation company in 1995. Mr. Boardman later went on to serve as the longest serving Commissioner of Transportation in New York State's history. In 2005, he became the Administrator of the Federal Railroad Administration.

During his transportation career, Mr. Boardman has been a fierce advocate for improving safety. At the Federal Railroad Administration, he played a particularly important role in the development and passage of the 2008 Rail Safety Improve Act. This bill mandated the implementation of positive train control technology to help prevent crashes and fatalities on America's railroads. Under Mr. Boardman's leadership at Amtrak, the railroad led the Nation in implementing this life-saving technology.

At Amtrak, Mr. Boardman has also made improvements in how Amtrak operates. He has been responsible for a host of financial, technical, and safety improvements at the railroad, as well as numerous investments in infrastructure improvements. During Mr. Boardman's tenure, Amtrak has hit its highest ridership levels; annual ridership reached and passed 30 million passengers per year. Amtrak's debt dropped to a third of the 2002 level, which allowed the railroad to replace its aging elective locomotive fleet and improve service on the Northeast corridor. Amtrak has made numerous improvements to its infrastructure thanks to Mr. Boardman's careful stewardship of the Federal investment in Amtrak. In my State, we know just how important that is, as Amtrak

works to build the Gateway Project, connecting New Jersey and New York via a new tunnel under the Hudson River.

Finally, it goes without saying that Joe Boardman has been the heart and soul of Amtrak. He has been a passionate advocate for maintaining nationwide Amtrak service, for increasing passenger rail service around the country and for providing the best possible service to Amtrak riders. His dedication to the railroad will be sorely missed. I congratulate Mr. Boardman on his service and wish him well in his retirement.

Thank you.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO TRISHA PRABHU

• Mr. KIRK. Mr. President, today I want to recognize a member of my student leadership advisory board, a very remarkable student from Naperville, IL, Trisha Prabhu. Miss Prabhu is the founder of ReThink, an award winning anticyberbullying platform that effectively prevents cyberbullying proactively, at the source, before the damage is done. The app, which acts as a keyboard on your smartphone, recognizes an inappropriate text and prompts the user with a message asking them to rethink their text. Miss Prabhu crafted the premise of the app and its algorithms in 2014 and has been recognized as a global finalist for the Google Science Fair and was awarded the Inspire 2016 Aristotle Award by Massachusetts Institute of Technology, MIT. She made Illinois proud when ReThink was an exhibitor at the White House Science Fair in March 2015.

Yesterday, ReThink was featured on the popular entrepreneur show, "Shark Tank." Thoroughly impressed with her accomplishments and the comprehensive app, Miss Prabhu agreed to a \$100,000 business deal with Mark Cuban and Lori Greiner.

Miss Prabhu is an outstanding example of Illinois innovation and uses her innovative spirit to better her community and promote STEM education throughout the country. She has deservedly received a number of awards for her work to stop bullying, including the "Global Anti-Bullying Hero" award from Auburn University. I share a common goal with Miss Prabhu: to end bullying once and for all.

I want to congratulate Trisha Prabhu on her recent accomplishment and wish her and ReThink the best of luck.●

##### REMEMBERING RAYMOND BUSHLAND

• Mr. THUNE. Mr. President, it is with a great deal of pride that I honor the

life and accomplishments of Dr. Raymond Bushland. This year, Dr. Bushland, along with his close friend and research partner Dr. Edward F. Knipling, posthumously received the Golden Goose award for his essential research into the reproductive cycle of the screwworm fly.

Dr. Bushland was born in our neighboring State of Minnesota and was raised and educated in my home State of South Dakota. He earned both his bachelor's degree and master's degree in entomology from South Dakota State University. After completing these degrees, he pursued a doctorate from Kansas State University and began a long and fruitful career as a research scientist.

During the 38 years Dr. Bushland worked with the U.S. Department of Agriculture's research program, he authored over 70 scientific papers on the science and management of insects. He is most noted for working toward eradication of the screwworm fly. This scourge of man and beast had an annual economic impact of well over \$1.8 billion, in today's money, to the livestock industry. Thanks to the research of Dr. Bushland and Dr. Knipling, most Americans have never heard of the screwworm fly, let alone ever dealt personally with its negative impacts.

Dr. Knipling and Dr. Bushland were jointly awarded some of the highest honors that anyone involved in agricultural research can earn: the Hoblitzelle National Award, the John F. Scotte Medal, and the World Food Prize. Dr. Bushland is currently the only graduate of South Dakota State to hold a World Food Prize.

For his life's work and service to humanity, I would like to remember Dr. Raymond Bushland.●

#### PRESIDENTIAL MESSAGE

REPORT OF THE VETO OF S. 2040, THE JUSTICE AGAINST SPONSORS OF TERRORISM ACT, RECEIVED DURING ADJOURNMENT OF THE SENATE ON SEPTEMBER 23, 2016—PM 56

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States which was ordered to be printed in the RECORD, spread in full upon the Journal, and held at the desk:

*To the Senate of the United States:*

I am returning herewith without my approval S. 2040, the "Justice Against Sponsors of Terrorism Act" (JASTA), which would, among other things, remove sovereign immunity in U.S. courts from foreign governments that

are not designated state sponsors of terrorism.

I have deep sympathy for the families of the victims of the terrorist attacks of September 11, 2001 (9/11), who have suffered grievously. I also have a deep appreciation of these families' desire to pursue justice and am strongly committed to assisting them in their efforts.

Consistent with this commitment, over the past 8 years, I have directed my Administration to pursue relentlessly al-Qa'ida, the terrorist group that planned the 9/11 attacks. The heroic efforts of our military and counterterrorism professionals have decimated al-Qa'ida's leadership and killed Osama bin Laden. My Administration also strongly supported, and I signed into law, legislation which ensured that those who bravely responded on that terrible day and other survivors of the attacks will be able to receive treatment for any injuries resulting from the attacks. And my Administration also directed the Intelligence Community to perform a declassification review of "Part Four of the Joint Congressional Inquiry into Intelligence Community Activities Before and After the Terrorist Attacks of September 11," so that the families of 9/11 victims and broader public can better understand the information investigators gathered following that dark day of our history.

Notwithstanding these significant efforts, I recognize that there is nothing that could ever erase the grief the 9/11 families have endured. My Administration therefore remains resolute in its commitment to assist these families in their pursuit of justice and do whatever we can to prevent another attack in the United States. Enacting JASTA into law, however, would neither protect Americans from terrorist attacks nor improve the effectiveness of our response to such attacks. As drafted, JASTA would allow private litigation against foreign governments in U.S. courts based on allegations that such foreign governments' actions abroad made them responsible for terrorism-related injuries on U.S. soil. This legislation would permit litigation against countries that have neither been designated by the executive branch as state sponsors of terrorism nor taken direct actions in the United States to carry out an attack here. The JASTA would be detrimental to U.S. national interests more broadly, which is why I am returning it without my approval.

First, JASTA threatens to reduce the effectiveness of our response to indications that a foreign government has taken steps outside our borders to provide support for terrorism, by taking such matters out of the hands of national security and foreign policy professionals and placing them in the hands of private litigants and courts.

Any indication that a foreign government played a role in a terrorist attack on U.S. soil is a matter of deep concern and merits a forceful, unified Federal

Government response that considers the wide range of important and effective tools available. One of these tools is designating the foreign government in question as a state sponsor of terrorism, which carries with it a litany of repercussions, including the foreign government being stripped of its sovereign immunity before U.S. courts in certain terrorism-related cases and subjected to a range of sanctions. Given these serious consequences, state sponsor of terrorism designations are made only after national security, foreign policy, and intelligence professionals carefully review all available information to determine whether a country meets the criteria that the Congress established.

In contrast, JASTA departs from longstanding standards and practice under our Foreign Sovereign Immunities Act and threatens to strip all foreign governments of immunity from judicial process in the United States based solely upon allegations by private litigants that a foreign government's overseas conduct had some role or connection to a group or person that carried out a terrorist attack inside the United States. This would invite consequential decisions to be made based upon incomplete information and risk having different courts reaching different conclusions about the culpability of individual foreign governments and their role in terrorist activities directed against the United States—which is neither an effective nor a coordinated way for us to respond to indications that a foreign government might have been behind a terrorist attack.

Second, JASTA would upset longstanding international principles regarding sovereign immunity, putting in place rules that, if applied globally, could have serious implications for U.S. national interests. The United States has a larger international presence, by far, than any other country, and sovereign immunity principles protect our Nation and its Armed Forces, officials, and assistance professionals, from foreign court proceedings. These principles also protect U.S. Government assets from attempted seizure by private litigants abroad. Removing sovereign immunity in U.S. courts from foreign governments that are not designated as state sponsors of terrorism, based solely on allegations that such foreign governments' actions abroad had a connection to terrorism-related injuries on U.S. soil, threatens to undermine these longstanding principles that protect the United States, our forces, and our personnel.

Indeed, reciprocity plays a substantial role in foreign relations, and numerous other countries already have laws that allow for the adjustment of a foreign state's immunities based on the treatment their governments receive in the courts of the other state. Enactment of JASTA could encourage foreign governments to act reciprocally and allow their domestic courts to exercise jurisdiction over the United

States or U.S. officials—including our men and women in uniform—for allegedly causing injuries overseas via U.S. support to third parties. This could lead to suits against the United States or U.S. officials for actions taken by members of an armed group that received U.S. assistance, misuse of U.S. military equipment by foreign forces, or abuses committed by police units that received U.S. training, even if the allegations at issue ultimately would be without merit. And if any of these litigants were to win judgments—based on foreign domestic laws as applied by foreign courts—they would begin to look to the assets of the U.S. Government held abroad to satisfy those judgments, with potentially serious financial consequences for the United States.

Third, JASTA threatens to create complications in our relationships with even our closest partners. If JASTA were enacted, courts could potentially consider even minimal allegations accusing U.S. allies or partners of complicity in a particular terrorist attack in the United States to be sufficient to open the door to litigation and wide-ranging discovery against a foreign country—for example, the country where an individual who later committed a terrorist act traveled from or became radicalized. A number of our allies and partners have already contacted us with serious concerns about the bill. By exposing these allies and partners to this sort of litigation in U.S. courts, JASTA threatens to limit their cooperation on key national security issues, including counterterrorism initiatives, at a crucial time when we are trying to build coalitions, not create divisions.

The 9/11 attacks were the worst act of terrorism on U.S. soil, and they were met with an unprecedented U.S. Government response. The United States has taken robust and wide-ranging actions to provide justice for the victims of the 9/11 attacks and keep Americans safe, from providing financial compensation for victims and their families to conducting worldwide counterterrorism programs to bringing criminal charges against culpable individuals. I have continued and expanded upon these efforts, both to help victims of terrorism gain justice for the loss and suffering of their loved ones and to protect the United States from future attacks. The JASTA, however, does not contribute to these goals, does not enhance the safety of Americans from terrorist attacks, and undermines core U.S. interests.

For these reasons, I must veto the bill.

BARACK OBAMA,  
THE WHITE HOUSE, September 23, 2016.

MESSAGE FROM THE HOUSE  
RECEIVED DURING ADJOURNMENT

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate on January 6, 2015, the following enrolled bills, previously signed