

want to mention that to our colleagues. I am sure the Presiding Officer probably already has. North Dakota State plays Iowa every year and played Iowa State a few years back and we are very much looking forward to playing the University of Iowa.

I wish to take a minute to speak about a resolution I will submit. I am going to talk about it now. The resolution is on behalf of the North Dakota State University Bison, which won a historic fifth consecutive NCAA Division I FCS national football championship on Saturday. Led by coach Chris Klieman, quarterback Carson Wentz, and a solid defensive effort, the Bison clinched the title 37 to 10 over a very talented team from Jacksonville State. The Gamecocks were truly great opponents. They played a fine game, and we congratulate them on a tremendous season as well.

With Saturday's win, the Bison became the first football team in the modern era of college football to win five consecutive championships—five titles in a row. The championships aren't won in a single game but as a result of years of hard work. The Bison overcame injury and adversity to make it back to the title game, and we are tremendously proud of our team, our players, the program, and all of their accomplishments.

It was a thrill for my wife Mikey and me to join Bison Nation down in Frisco. The game was in Frisco, TX—a wonderful venue for the game. Having a dedicated fan base helped make their stadium feel a lot like one of our home games at the FARGODOME. It is an amazing experience.

The game started with a flyover of a B-52 bomber from the Minot North Dakota Air Force Base. In addition to the thousands of dedicated NDSU fans, Thundar, the Bison mascot, and Corso, an actual bison—an unofficial mascot of the team—made the 1,000-mile trek down to Texas. The Bison had a loyal crew cheering them on, and it helped make this “drive for five” season very memorable.

Five championships in a row is unprecedented. I want to congratulate the entire Bison community—NDSU's leaders, the coaches, the staff, and these tremendous student athletes, as well as Bison Nation, a wonderful loyal following wherever the Bison team goes.

In recognition, I will submit the following resolution in their honor:

Whereas the North Dakota State University (referred to in this preamble as “NDSU”) Bison won the 2015 National Collegiate Athletic Association (referred to in this preamble as the “NCAA”) Division I Football Championship Subdivision title game in Frisco, Texas, on January 9, 2016, in a decisive victory over the Jacksonville State Gamecocks by a score of 37 to 10;

Whereas NDSU has won 13 NCAA football championships;

Whereas NDSU has now won five consecutive NCAA Football Championships since 2011, an extraordinary and record-setting achievement in modern collegiate football history;

Whereas the NDSU Bison have displayed tremendous resilience and skill over the past 5 seasons, with 71 wins to only 5 losses, including a streak of 33 consecutive winning games;

Whereas thousands of Bison fans attended the championship game, reflecting the tremendous spirit and dedication of Bison Nation that has helped propel the success of the team; and

Whereas the 2015 NCAA Division I Football Championship Subdivision title was a victory not only for the NDSU football team, but also for the entire State of North Dakota:

*Resolved*, That the Senate—

(1) congratulates the North Dakota State University Bison football team as the 2015 champion of the National Collegiate Athletic Association Division I Football Championship Subdivision;

(2) commends the North Dakota State University players, coaches, and staff for their hard work and dedication on a historic season and for fostering a continuing tradition of athletic and academic excellence; and

(3) recognizes the students, alumni, and the loyal fans who supported the Bison in their quest to capture a fifth consecutive Division I national championship trophy for North Dakota State University.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORNYN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### FREEDOM OF INFORMATION ACT

Mr. CORNYN. Madam President, I understand that later today the House of Representatives will vote to pass a reform of the Freedom of Information Act, which is often referred to by its acronym, FOIA. I wish to say a few words about that legislation.

I applaud the effort of the House. I have long believed that it is really important to make sure that the people who actually pay the bills and whom we serve know what government is doing on their behalf. Thus the name of the legislation signed by President Johnson many years ago is the Freedom of Information Act. Too often here in Washington, DC, the people in charge of the information seem to view it as proprietary, as if it were theirs. In a political culture where information is power, they don't want to share that information with the people who actually own it and are the ones who hold the elected officials accountable. An open government is really one of the first prerequisites to a free society, and that is because an open and accessible government is absolutely necessary for Americans to hold their elected officials accountable.

Our Founding Fathers, of course, recognized that a truly democratic system depends on an informed citizenry, but Americans cannot do that without the information and transparency that these laws provide.

Former Justice William Brandeis famously said that “sunlight is the best disinfectant.” I must say, as a person who is conservative, that I believe that rather than passing a bunch of new laws, one of the things we can do to change the behavior here in Washington is to shine a light on the actions of elected officials and the government. When elected officials know that the public is informed and watching, it changes the way people behave, and it usually changes it for the better. Congress has passed numerous pieces of legislation that promote this accountability and transparency of government since President Johnson signed the Freedom of Information Act into law so that good leadership and good governance can flourish.

During my time in the Senate and previously when I was the attorney general of Texas, I made government transparency a priority. I pressed for more openness in the Federal Government through commonsense legislation. During the process, I found a partner in those efforts in the Senate. He is somebody who is my ideological opposite, and that is Senator PAT LEAHY of Vermont.

Senator LEAHY and I both embrace the fact that most of the time elected officials and government officials want to trumpet their successes and they want to hide their failures. But the American people deserve to know the good, the bad, and the ugly, and to apply the correctives that are within their power, either in changing those officials or holding those officials accountable.

So the legislation that is going to pass the House later today is similar to what we have already passed here in the Senate Judiciary Committee by voice vote in February. It requires Federal agencies to operate under a presumption of openness when considering the release of government information under the Freedom of Information Act. Texas law, for example, presumes that public information held by government is presumptively open. If there is some reason why it should not be disclosed—let's say classified materials or whatever—then it is incumbent upon the agency to raise those concerns and then to have those concerns decided in the process of administering those laws. But the idea is also to reduce the overuse of exemptions to withhold information from the public. I hope this Chamber will soon join our colleagues in the House to consider this important legislation.

There may be some things we need to do to fine-tune it. I certainly understand that on national security, for example, or things involving proprietary information—trademark protections and property protections—there may be some areas where we have to make some slight changes. But, essentially, this presumption of openness is important to the functioning of our democratic form of government, and I look forward to our passing the law that

will be passed by the House Chamber later today.

#### GUN CONTROL AND MENTAL ILLNESS

Mr. CORNYN. Madam President, the main reason I come to the floor today is to talk about the President's most recent Executive action, this time implementing gun control measures that won't actually solve any of the problems they purport to fix and that purposely go around Congress and ignore the will of the American people. To my mind, this is one of the most aggravating things about Washington, DC, and about how business is done here. People make symbolic acts claiming that we have to "do something" but don't actually focus on a solution that actually helps make the problem better.

None of the President's proposals actually would reduce any of the horrific incidents of gun violence we have seen, and that is a shame because there are bipartisan proposals that have been made that actually would help. But it is only when the President works with the Congress, as the Constitution requires, before a bill can become law. In his eagerness to go it alone, of course, the President has forsaken the constitutional process and bypassed the electorate in trying to make new policy.

He presumably is doing this as a hallmark of his tenure, and it will somehow be a legacy of his time as President. But the fact of the matter is Executive action signed by this President will not survive his own Presidency unless it is actually made into law, and then, of course, it would require another act of Congress to overcome it. That is something this President doesn't seem to recognize. When he gets frustrated with the pace at which Congress takes up legislation—for example, the immigration issue—he decides to unilaterally issue an Executive action—which does what? Well, he offers Executive actions as a solution to a problem. But, in fact, what it does is it buys a lawsuit and it gets caught up in litigation, which is going to take years to resolve and ultimately doesn't provide any relief to the very people the President claims to want to help.

So as a result of the President's impatience and his eagerness to go it alone, he is actually forsaking the constitutional process that builds consensus and actually creates durable policies that will survive this President's own administration.

This isn't just an isolated event, as I mentioned a moment ago. According to one media report, the Obama administration aims to push almost 4,000 new regulations during his last year as President. But with his announcement last week, President Obama made clear he has little interest in working with Congress. That is actually his job—to work with Congress, to work with us to try to find consensus and to build dura-

ble solutions to the problems that confront our Nation. It also demonstrates his lack of regard for fundamental constitutional rights as spelled out in the Constitution itself. Of course, I am talking about the Second Amendment to the U.S. Constitution.

I found his rhetoric particularly perplexing. First, he blamed the Congress for inaction. He said: "Congress still needs to act." Well, actually, if what he was doing was going to solve the problem, why would Congress still need to act? So to me it is an admission that he knows that this is mere symbolism and it doesn't actually solve the problem that he says exists.

So he said Congress still needs to act on gun control measures, and he claimed that this legislative body—the Congress—is simply not being responsive to the will of the American people. He even said that he feels compelled to act without consulting Congress because America doesn't "have a Congress that is in line with the majority of Americans."

In other words, the President said the people of this country are demanding more symbolic gun control laws, not less.

But that is not what the polling shows, the best indicator of what people are actually thinking—other than what the Presiding Officer hears from her constituents in Iowa and I hear from my constituents in Texas. Those are the best ways to know what people are thinking. In a poll done by the Wall Street Journal and NBC News this fall, more than half of the respondents said that the President's party's position on gun control was "outside the mainstream." Only 38 percent said that it was "within the mainstream."

It is also critical to point out that, as many media reports have indicated, the President's measures would not have stopped any of the mass violence incidents that have tragically struck American communities over the last few years.

So my response to the President is this: If he is actually serious about trying to solve problems rather than just issue symbolic proclamations, he needs to roll up his sleeves and he needs to work with us to move legislation forward that focuses on the commonsense thread found in many of these mass incidents, and that has to do with the mental health issue. This is the 800-pound gorilla in the room that the President doesn't want to talk about.

The chairman of the Senate Judiciary Committee, Senator GRASSLEY, has made it quite clear that this is the one issue where we could actually find consensus and help provide assistance to families and communities to help people from becoming a danger to themselves as well as the communities in which they live.

We know from the facts of the cases that many times the mental health of the shooter has played a role in many of these tragedies, and it must be addressed. Many Americans, of course,

agree. I think, for example, of Adam Lanza, who was the shooter at Sandy Hook in Connecticut. He was so mentally ill that he was a recluse in his own home, and the only thing his mother found she could engage him in was going out to a shooting range. Yet he basically stole his mother's own weapons, killed her, and then tragically went to Sandy Hook Elementary School and killed a number of innocent children. If he and she had been able to get some additional help—gotten him to a doctor and gotten him on medications that could have helped him from this increasing mental illness—then perhaps things would have turned out differently. That is speculation on all our parts, but perhaps treating the mental illness will actually reduce the likelihood that people will succumb to an impulse to do harm to themselves and to their communities.

According to a poll released just last week, more than 70 percent of Americans said they believe that better access to mental health treatment and screening would reduce these incidents of violence. I am part of that 70 percent. I firmly believe that time and again we are confronted with mental illness crises that go untreated and turn into tragic headlines. We can't responsibly stand by any longer and watch this pattern repeat itself. That is why last year I introduced a piece of legislation that was my effort to try to begin this conversation and this discussion here in the Senate.

There are other ideas. The chairman of the Health, Education, Labor, and Pensions Committee, Senator ALEXANDER, and the ranking member, Senator MURRAY, are working on some mental health reform legislation. Congressman TIM MURPHY in the House has worked on a comprehensive bill, and in the Senate Dr. BILL CASSIDY is working on that legislation. My legislation, hopefully, will help contribute to the conversation and help us build that consensus that is so important.

The legislation I have introduced would improve treatment and preventive screenings and crisis response for individuals with mental illness. It would also strengthen the existing background check system, something the President says he wants to do. However, the fact of the matter is that many States, such as the State of Virginia in the case of the Virginia Tech shooter just a short time ago, don't even upload existing mental health adjudications into the background check system, which would have precluded the purchase of a firearm by somebody with that sort of record. So the National Instant Criminal Background Check System isn't even a comprehensive system when it comes to identifying people who under current law should not be able to purchase a firearm.

This legislation I have offered is a step forward that will help those with mental illness get the support they need while also equipping our Nation's